



OPEN MEETING

REGULAR MEETING OF THE UNITED LAGUNA WOODS MUTUAL  
GOVERNING DOCUMENTS REVIEW COMMITTEE

Thursday, April 18, 2024 – 1:30 P.M.  
Board Room/Virtual Meeting  
Laguna Woods Village Community Center

**AGENDA NOTICE**

1. Call to Order Maggie Blackwell
2. Approval of Agenda Maggie Blackwell
3. Approval of Reports: Maggie Blackwell
  - a. February 15, 2024
4. Chair's Remarks Maggie Blackwell
5. Member Comments - *At this time Only United Members may address the Committee regarding items not on the agenda and within the jurisdiction of this Committee. The Committee reserves the right to limit the total amount of time allotted for Member Comments to thirty-minutes. Each individual has no longer than three-minutes. A Member may speak only once during the Member Comments. Speakers may not give their time to other people, no audio or video recording by attendees and no rude or threatening comments.*

Laguna Woods Village owner/residents are welcome to participate in committee meetings and submit comments or questions regarding virtual committee meetings using one of two options:

- a. Via email to [meeting@vmsinc.org](mailto:meeting@vmsinc.org) any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee in the subject line of the email. Name and manor number must be included.
- b. Join the Committee meeting via Zoom at: <https://us06web.zoom.us/j/99710468599> or by dialing 669-900-6833 / Access Code: 997 1046 8599

Items for Discussion and Consideration

6. United Subleasing, Resale and Transfer Fees Pamela Bashline
7. United Mutual Financial Qualifications Pamela Bashline

Concluding Business:

8. Committee Member Comments

9. *Future Agenda Items – All matters listed under Future Agenda Items are items for a future Committee meeting. No action will be taken by the Committee on these agenda items at this meeting.*
  - a. Review of Operating Rules Guidebook Adjournment
  - b. Revised Committee Charter
  - c. Elections

**\*A quorum of the United Board, or more, may be present at the meeting.**

Maggie Blackwell, Chair  
Francis Gomez, Staff Officer  
(949) 268-4207



**OPEN MEETING**

REGULAR MEETING OF THE UNITED LAGUNA WOODS MUTUAL  
GOVERNING DOCUMENTS REVIEW COMMITTEE

Thursday, February 15, 2024 – 1:30 p.m.  
BOARD ROOM/VIRTUAL MEETING  
Laguna Woods Village Community Center  
24351 El Toro Road, Laguna Woods, CA 92637

MEMBERS PRESENT: Maggie Blackwell – Chair, Anthony Liberatore and Nancy Carlson

MEMBER ABSENT: None.

ADVISORS PRESENT: Dick Rader, Mary Stone and Juanita Skillman

ADVISORS ABSENT: None.

STAFF PRESENT: Francis Gomez, Pamela Bashline and Ruby Rojas

**CALL TO ORDER**

Maggie Blackwell, Chair, called the meeting to order at 1:31 p.m.

**APPROVAL OF THE AGENDA**

Director Carlson made a motion to approve the agenda. Director Liberatore seconded the motion.

By unanimous consent, the motion passed.

**APPROVAL OF REPORTS**

The Committee reviewed the report for January 18, 2024.

Without objection, the report for January 18, 2024 was approved as presented.

**CHAIR'S REMARKS**

Chair Blackwell welcomed Director Liberatore to the Committee and thanked Director Vidya Kale for her service on the Committee.

**MEMBER COMMENTS**

A member relayed concerns regarding the lack of barbecue rules and Advisor Stone requested additional information in the minutes.

## **ITEMS FOR DISCUSSION**

### **Schedule of Monetary Penalties**

Ms. Francis Gomez, Operations Manager, presented the Schedule of Monetary Penalties for the Committee to consider and review. The Committee discussed and elected to make minor changes to the document.

Director Carlson made a motion to increase the “Alteration” Type-Fee to a maximum of one-thousand dollars per event, the motion was withdrawn.

Director Carlson made a motion to edit the title of “Type of Violation” to stipulate “per event”. Chair Blackwell seconded the motion.

By unanimous consent, the motion passed.

### **Committee Charter**

**The Committee reviewed and discussed the Committee Charter.** The Committee discussed and elected to make minor changes to the document.

By unanimous consent, the motion passed.

The Committee directed staff to review and update the Committee Charter and present at the next meeting.

## **Concluding Business**

### **Committee Member Comments**

Director Liberatore relayed his dislike of the word “charter” in the title of the United Mutual Committee Charter, questioning its use. Chair Blackwell expressed the premise of the Committee is to create new rules and regulations to protect members health, welfare and safety. Advisor Rader reminded the Committee to relay the matter of accessing Governing Documents to the Media and Communications Committee for review.

### **Future Agenda Items**

- a. Review of Operating Rules Guidebook

### **Date of Next Meeting**

The next meeting is scheduled for Thursday, March 15, 2024 at 1:30 p.m. in the Board Room.

### **Adjournment**

With no further business, Chair Blackwell adjourned the meeting at 2:39 p.m.

*MBlackwell*

MBlackwell (Mar 4, 2024 13:27 PST)

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Maggie Blackwell, Chair



**STAFF REPORT**

**DATE:** April 18, 2024  
**FOR:** United Governing Documents Review Committee  
**SUBJECT:** Ratify United Fees Pertaining to Subleasing, Resales and Membership Transfers

**RECOMMENDATION**

Staff recommends the Board ratify its fees associated with processing all sublease/lodger, resales and trust/transfer applications to align with current practices and to place all fees in one resolution. Staff also recommends one additional fee of \$280 to be charged for the recording of the Memorandum of Occupancy Agreements and Memorandum of Termination of Occupancy Agreements for all non-escrow membership transfers.

**BACKGROUND**

The fees currently charged for processing all United Mutual sublease/lodger, resales, and membership trust/transfer applications are as follows:

<b>United Sublease Permit / Lodger Room Rental Fees</b>	
Administration Processing Fees	\$160
Application Rush Fee	\$100
Application Renewal Fee	\$160
Application Extension Fee (if the original agreement is less than 12 months)	\$60
<b>United Resale Fees</b>	
Administration Fee (GRF Resolution G-00-58)	\$350
Additional Fee for Recording of Memorandums for Cash Sales	\$280
Escrow Cancellation (GRF Resolution G-90-07)	\$112
<b>United Trust Transfer Fees</b>	
Membership Certificate non-escrow transfer fee	\$50

**DISCUSSION**

The above-mentioned fees have been in place for several years and are currently included in their associated policies, but have not been officially approved by way of resolutions, with the exception of the sublease permit application processing fee of \$160 (ATT 1); however, the fees were indirectly approved when the board approved the policies. When legal counsel assisted in drafting United's Lodger Policy in 2023 he indicated to staff that he didn't recommend that the fees be a part of the policy in the event the fees needed to be increased in the future. Therefore, only the resolution would be revised and not the entire policy.

While some fees cannot be historically traced as to how they came about, there are some fees mentioned below that can be explained.

- The current resale administration fee of \$350 was adopted by GRF in 2000 by way of Resolution G-00-58 (ATT 2), but since GRF doesn't have any involvement with mutual resales, United should adopt or ratify its own resale administration fee.
- The current escrow cancellation fee of \$112 that United charges was also adopted by GRF in 1990 by way of Resolution G-90-07 (ATT 3), and as mentioned above, United should adopt or ratify its own escrow cancellation fee.
- During the resale process, Memorandums of Occupancy Agreement and Memorandums of Termination of Occupancy Agreement are recorded with the County Recorder's office to provide public evidence of the buyer's occupancy rights and seller's intent to leave the corporation. On January 1, 2018, Government Code §17388.1 (formerly SB 2) mandated that county recorders charge \$75 per transaction of certain real estate documents. As a result, United currently charges \$280 for recording the Memorandums directly with the County via their SECURE system for all cash sales. The break down in costs include \$75 + \$7 for the first page + \$3 per extra page so depending on the number of pages, the total recording fees per Memorandum will range between \$91 - \$109. The \$280 fee includes an offset toward administrative staff costs.

In addition to Staff's recommendation that the Board ratify the above-mentioned fees, Staff also recommends, as part of the ongoing efforts to ensure proper documentation and compliance within our organization, that the board approves charging \$280 to record executed Memorandum of Occupancy Agreements and Memorandum of Termination of Occupancy Agreements for all non-escrow membership transfers.

### **FINANCIAL ANALYSIS**

It is anticipated that if the additional fee of \$280 is approved for the recording of the Memorandum of Occupancy Agreements and Memorandum of Termination of Occupancy Agreements for all non-escrow membership transfers, the revenue to the mutual will increase by approximately \$78,680 based on an estimated 281 recordings a year.

**Prepared By:** Patty Kurzet, Membership Services Coordinator

**Reviewed By:** Pamela Bashline, Community Services Manager  
Jeff Spies, Community Services Supervisor

### **ATTACHMENT(S) -**

ATT 1 - United Resolution 01-13-138

ATT 2 - GRF Resolution G-00-58

ATT 3 - GRF Resolution G-90-07

ATT 4 - Resolution 01-24-XX

**RESOLUTION 01-13-138**

Reduce Sublease Permit Administration Fee from \$300 to \$160

**WHEREAS**, there are identifiable costs related to processing sub-lease permits; and

**WHEREAS**, there are identifiable costs related to move-ins including Security control; and

**WHEREAS**, in order to provide better oversight for the sub-leasing process and help cover Community costs associated with tracking approved move-in and approved move-out dates, the Board of Directors established a \$300 sub-lease permit administration fee; and

**WHEREAS**, the Board of Directors of this Corporation wishes to reduce the fee;

**NOW THEREFORE BE IT RESOLVED**, July 23, 2013, that the Board of Directors hereby reduces the sub-lease permit administration fee from \$300 to \$160 to be effective September 1, 2013; and

**RESOLVED FURTHER**, that the Managing Agent is instructed to inform the realty community of the revised fees; and

**RESOLVED FURTHER**, that Resolution 01-12-91, adopted May 8, 2012 is hereby superseded and cancelled;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION G-00-58**

Administrative Transfer Fee for Resale Packages

**WHEREAS**, the Board of Directors of this Corporation adopted Resolution G-84-122 on December 4, 1984, which established an administrative transfer fee of \$250; and

**WHEREAS**, on October 5, 1993, the Board of Directors adopted Resolution G-93-106, which approved a schedule of fees and increased the administrative transfer fee to \$300;

**NOW THEREFORE BE IT RESOLVED**, July 5, 2000 that the Board of Directors of this Corporation hereby increases the Administrative Transfer Fee from \$300 to \$350, effective January 1, 2001, for all escrows opened on or after that date; and

**RESOLVED FURTHER**, that this increase shall be reflected in the schedule of fees, which is adopted with the annual Business Plan; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution; and

**RESOLVED FURTHER**, that Resolution G-93-106, adopted October 5, 1993 is hereby superseded and canceled.



**RESOLUTION G-90-7**  
Adopted February 6, 1990

\$112 Escrow Cancellation Fee

**WHEREAS**, it has been determined that the current \$10 escrow cancellation fee is not sufficient to recover actual administration costs which are approximately \$112 per escrow cancelled;

**NOW THEREFORE BE IT RESOLVED**, that the escrow cancellation fee shall be \$112; said fees shall apply to all escrows received in the Business Services Department on or after February 19, 1990, that subsequently are cancelled; and

**RESOLVED FURTHER**, that the attached 1990 Fee Schedule effective January 1, 1990, is hereby approved and amended to include the \$112 escrow cancellation fee and;

**RESOLVED**, Resolution G-89-114, adopted on November 7, 1989, is hereby cancelled; and

**RESOLVED FURTHER**, that the managing agent is hereby authorized to advise all escrow and realty offices of this fee change.

**RESOLUTION 01-24-xx**

**WHEREAS**, the Community Services Division collects fees when processing resale packages, non-escrow membership transfers, and subleasing and lodger applications; and

**WHEREAS**, the processing fees have been in place for several years and are currently included in their associated policies, but not been officially approved by way of resolutions; and

**WHEREAS**, all Community Services fees established by the board should be identified in one resolution and placed on the website to provide transparency and improve communications;

**NOW THEREFORE BE IT RESOLVED**, June 11, 2024, that the Board of Directors of this corporation hereby ratifies and adopts the following fee schedule related to processing all resale packages, non-escrow membership transfers and subleasing/lodger applications:

<b>United Sublease Permit / Lodger Room Rental Fees</b>	
Administration Processing Fees	\$160
Application Rush Fee	\$100
Application Renewal Fee	\$160
Application Extension Fee (if the original agreement is less than 12 months)	\$60
<b>United Resale Fees</b>	
Administration Fee	\$350
Additional Fee for Recording of Memorandums for Cash Sales	\$280
Escrow Cancellation	\$112
<b>United Trust / Transfer Fees</b>	
Membership Certificate Non-Escrow Transfer	\$50
Recording of Memorandums ( <b>NEW</b> )	\$280

**RESOLVED FURTHER**, that Resolution 01-13-138 is hereby superseded and cancelled; and

**RESOLVED FURTHER**, that the fee schedule shall be placed on the website; and

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized on behalf of the corporation to carry out this resolution.

**MAY INITIAL NOTIFICATION:** Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 28-days from the postponement to comply with Civil Code §4360.