## Moorings Code Requirements Discussion

Invited Elise Vosselman Dan J. Greenberg Scott Askew rsullivan1965@outlook.com Kelly Creegan Ryan Crist Attachments Moorings Code Requirements Discussion Meeting records Transcript

## Summary

Cindy Sullivan, Rich, Donna House, and Joe convened a town hall meeting to address major hurdles in unit restoration, specifically concerning faulty shower pan installations by JBOL and widespread electrical systems that are not up to current code. Scott Askew detailed the necessary repairs, with the total cost to fix the shower pans at \$30,525 and electrical upgrades at \$194,566, which Dan Greenberg confirmed the board is actively pursuing litigation against JBOL for. Cindy Sullivan outlined a special assessment for the electrical costs, varying by unit size, while the shower pan costs will be paid from operational funds, and Ryan Crist and Scott Askew clarified code requirements necessitate four-wire dryer upgrades for all units.

## **Details**

Notes Length: Standard

 Meeting Commencement and Quorum The meeting was called to order at 5:02 by Cindy Sullivan, who noted that a quorum was established with the presence of themself, Rich, Donna House, and Joe (00:00:00). Cindy Sullivan explained that the town hall meeting was called to communicate and address a couple of major

- hurdles encountered in the process of getting the units back together, specifically mentioning issues with shower pans and electrical systems (00:07:13).
- Shower Pan Issues and Costs Cindy Sullivan noted that the shower pans installed by JBOL were not done properly and would need repair (00:07:13). Scott Askew elaborated that the issue involved screwing into the waterproofing requirement below 24 inches. Scott Askew stated that the contract price to fix all shower pans is \$30,525, which includes removing the Dur Rock, replacing the actual lining properly, and then putting the Dura Rock back (00:08:27).
- Electrical Issues and Costs Cindy Sullivan identified electrical issues as the bigger hurdle, stating that a lot of the electrical in the condos is not up to code (00:07:13). Scott Askew stated that the electrical upgrades would cost \$194,566. The primary problem is that most electrical panels are original General Electric panels from the 1970s, and current code requires GFCI and arc fault breakers, a standard mandated by the state of Florida in 2020 and Tarpon Springs in 2021 (00:09:57).
- JBOL's Role and Liability Robert Long questioned why the money to fix the
  issues would not be sought from JBOL since they performed the work incorrectly
  (00:11:24). Ryan Crist and Scott Askew clarified that pursuing JBOL is not their
  discussion as contractors. Scott Askew confirmed that BBI has spent well over a
  thousand hours documenting JBOL's issues and provided that information to the
  board and association attorney (00:12:41).
- Board's Pursuit of JBOL and Lean Concerns Dan Greenberg addressed the JBOL situation, stating that it is an active prelitigation matter and the board is pursuing it, but they cannot discuss much in open session (00:15:06). Regarding the lean placed by JBOL, Dan Greenberg explained that the only way to get the lean released is payment, either by the board or by the owners at closing, with a potential for reimbursement once money is collected from JBOL (00:26:18). Dan Greenberg also clarified that they will be addressing the issue of JBOL closing up walls before upgrading the electrical (00:40:53).
- Scope of Repairs for Owners John Baladakis asked if the shower pan fix applies
  only to units with showers, and Scott Askew confirmed it only affects units with
  shower pans, not tubs. John Baladakis also questioned if they could opt out of
  the four-wire dryer upgrade, but Ryan Crist explained that it is a national electrical
  code standard adopted by Tarpon Springs, and owners are required to replace
  what is already there to meet the new code (00:16:06). Scott Askew detailed the

exhaustive process BBI undertook to challenge electrical contractors and pursue exceptions with the city of Tarpon Springs, noting that the chosen route was the safest one, which included replacing all electrical boxes and upgrading every dryer to a four-wire system (00:19:40).

- Assessment Details for Electrical and Shower Pans Cindy Sullivan presented the assessment breakdown for the electrical upgrades, which is a total of \$194,000 and change, split into two monthly installments due January 1st and February 1st. The assessment varies by unit size: \$4,342.26 for one-bedroom units, \$4,822.26 for two-bedroom units, and \$5,812.26 for three-bedroom units (00:37:24). The \$30,525 cost for shower pan repairs will be paid out of operational funds and then recouped from JBOL to return to operational funds (00:38:42).
- Upper Unit Electrical Upgrades Joe F asked if upper units need to replace their electrical panels. Cindy Sullivan responded that while it is not currently being pushed, they believe all units should eventually have their electrical upgraded due to safety concerns and outdated 70s panels (00:28:44). Dan Greenberg confirmed that for upper-level owners, replacing the panels is their cost and will be an assessment, although they are not required to do it now because their units are not under construction (00:30:11).
- Concerns about Assessment Payment Structure Robert Long asked if the special assessments could be added to monthly HOA bills instead of being paid in lump sums. Cindy Sullivan explained that lump sum payments are necessary because the contractor needs to be paid for the work. Robert Long suggested the need for leniency and a longer period for monthly payments due to the high cost of the assessments (00:41:59).
- Structural Work Lean and Documentation Dispute with JBOL Dan Loefflad asked about their exposure regarding JBOL's lean for additional work, which Dan Greenberg identified as structural work to the perimeter walls, claiming about \$300,000 to the association (00:45:31). Dan Greenberg confirmed that if an assessment is needed to fund the settlement with JBOL for this work, it will be distributed to all units, not just the lower ones (00:46:38). The dispute over this bill stems from JBOL providing a bill without supporting documentation, which the board has been requesting for months (00:47:38) (00:49:51).
- BBI's Documentation Efforts and Pace of Work Scott Askew emphasized the substantial work BBI has done in verifying, documenting, and accounting for the

previous contractor's issues, noting it has taken close to a thousand hours. Scott Askew addressed the delays and pauses in areas like floors, doors, trim, cabinets, and paint, attributing them to the extensive recovery work and documentation process that must be completed (00:50:53) (00:53:20). Dewayne Casteel presented a specific concern about holes in their exterior walls that JBOL claimed to have fixed, and Ryan Crist requested that Dewayne Casteel provide documentation to help BBI justify what JBOL billed (00:52:13).

- BBI Appeal and Submissions Dan Loefflad raised the status of BBI's appeal, noting that it sounded like they were moving forward with filing it. Ryan Crist confirmed that they are discussing the appeal, stating there is traction on it, though it has not yet been submitted to the adjuster. Scott Askew added that they are providing video evidence of non-opening doors and have had extensive discussions about the supplement (00:58:39).
- HVAC Breaker Cost and Contractor Negotiations Joe F asked if the individual \$250 payments for the new HVAC breaker would be credited towards the panel installation. Scott Askew confirmed they would work with the electrical contractor on this, emphasizing that they have already pressed the contractor, bringing them out five times, and stressing that the cost remains the cost despite their efforts to minimize it (00:59:52). Scott Askew also humorously compared Ryan Crist to a "moonlighter for the mob" regarding them pushing on the contractors (01:01:05).
- Engineer Documentation and Structural Costs John Baladakis mentioned that
  Jaybolt had allegedly hired an engineer to document issues, including the slider
  and waterline replacement, in every unit, suggesting this data could save time.
  Ryan Crist confirmed they would incorporate that information as part of what
  they are compiling (01:01:05). Dan Greenberg clarified that structural work, being
  a common element project unrelated to the storm, is spread across all units
  (01:04:28).
- Shower Pan Assessment and Funding Pam Stevens inquired whether the assessment figures provided included the shower pans or just the electrical. Scott Askew clarified the shower pans were approximately \$30,000, and the electrical was a rough number of \$194K, confirming that no shower pan is excluded (01:01:05). Cindy Sullivan interjected, clarifying that the shower pans will be paid for out of operational funds, not through an assessment, with the hope of recovering the cost from JBL later (01:03:29). Scott Askew also clarified that the shower pan amount only applies to units with showers, excluding those

with tubs, because the contractor would not warranty work if the necessary fixed actions did not occur (01:02:25).

- Unit 334 Exclusions and Structural Work Bob & Marti Shannon sought confirmation that their unit, 334, is excluded from the discussions and any assessment, as they had used their own contractor, passed inspections, and were not involved with JBL (01:03:29). Cindy Sullivan and Dan Greenberg confirmed no charges were associated with their unit for the electrical, shower pans, and other storm-related damages that JBL did not perform, and their job is to work with insurance to try to get the costs refunded to them (01:04:28). However, Dan Greenberg clarified that the structural wall work is a common element project that gets spread across all 84 units, regardless of who performed the work. Bob & Marti Shannon then asserted that if their contractor did the same structural work as Jay Bolt and provided evidence, the contractor should be paid out of the assessment funds, which Dan Greenberg agreed to (01:05:21).
- Meeting Conclusion and Next Steps Cindy Sullivan concluded the meeting, noting the time and expressing the main goal of getting everybody back safely into their units. They thanked Scott Askew, Ryan Crist, and Dan Loefflad for their time and explanations, emphasizing the need to keep moving toward completion (01:06:27).

## Suggested next steps

Ryan Crist will address DEWAYNE CASTEEL's concerns about the 5/8 drywall this
coming week.
DEWAYNE CASTEEL will send pictures of the exterior walls to the Mooring
Penelis Gmail account, and Scott Askew will verify receipt tonight.
Ryan Crist will get the data on the engineer hired by Jaybolt who documented the
slider, water line replacement, and other issues in each unit, as it is part of what
they are putting together.
Bob & Marti Shannon will provide evidence that their contractor did the same
structural work as Jay Bolt and submit it to the board so the contractor can be
paid out of the assessment funds.

You should review Gemini's notes to make sure they're accurate. <u>Get tips and learn how Gemini takes notes</u>

Please provide feedback about using Gemini to take notes in a <u>short survey.</u>