

## **Update HOA Lawsuit**

This notice is in response to several requests from members of the Apple View River Resort™ for an updated report of the lawsuit filed against Apple View Farms Community Association, Inc. As we have reported to you previously eight River Place condo owners, who are renting their condos, but do not do it through the Board's Designated Rental Agent, have filed suit against the Apple View Farms Community Association, Inc. Apple View Farms Community Association, Inc is the umbrella HOA for the Apple View River Resort™, whose members are owners who own units in either the River Place or Orchard neighborhoods. These eight owners are challenging the right of the Association to enforce Article XII, Section 25(b) of the Declaration of Covenants, Conditions, and Restrictions that requires all short term rentals to be handled through the Board of Directors Designated Rental Agent, Twelve 2 Resort Management LLC. The owners, April Sroufe, Laura Czuba, Sunny Glenn, Jackie Muse, Kimberly and Gary Tucker, Elaine Austin, Mathew and April Davis and Ken Richardson are being fined by the Association for not complying with the use of the Board's Designated Rental Agent as required by the Declaration of Covenants, Conditions and Restrictions. For this they are suing the Association.

This law suit has been filed in Sevier County Chancery Court as case number 23-1-012. The attorney for the Apple View Farms Community Association, Inc., has filed a motion to dismiss the lawsuit. Both parties have filed additional briefs with the Court at this time.

It is not possible at this time to predict when or how this matter will be resolved.

The Association's Insurance Company is handling this suit.

Board of Director's Apple View Farms Community Association.  
August 18, 2023