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To all homeowners in the Lake Cumberland Resort Community Association:

Please be advised that my office represents the Lake Cumberland Resort Community Association, Inc. (LCRCA) with regard to various legal matters. I am writing to you in order to provide an update as to a recent decision that was rendered in the Pulaski Circuit Court, which directly affects you as a homeowner in the Lake Cumberland Resort Community.

To summarize as briefly as possible, here is what occurred. After several hours of a full trial on the merits, Honorable David Tapp, Pulaski Circuit Judge, ruled that some of the actions taken by LCRCA (approximately 10 years ago) were considered “ultra vires” (beyond one’s legal power or authority). However, Judge Tapp further explained that such actions were ratified and approved by the homeowners in question due to various reasons.

First of all, it was clear that the homeowners in question had accepted numerous benefits from the Association. Secondly, the homeowners did nothing to complain or object to such actions. In fact, the homeowners did nothing to question the actions of LCRCA until the Association sued the homeowners for their failure to pay required assessments. Shortly after Judge Tapp’s decision was rendered, the homeowners requested that he reconsider his position and rule in their favor. Judge Tapp denied the homeowners’ motion and his initial decision remains unchanged.

Since this case was decided, several homeowners have written letters to the Board, most of which have included unfounded accusations, as well as complete inaccuracies as to what the above-referenced case means to the members of the Association. Inasmuch, I strongly urge all homeowners to cease any written communication that is an attempt to annoy or harass the Board. The Pulaski Circuit Court has already ruled in the Board’s favor and there is no need to address these issues anymore.

I appreciate your time in reviewing this letter and hope it provides a sufficient explanation to you as to what has occurred. The Board has worked feverishly on these issues and it continues to do its’ best to properly represent all homeowners in the Association. Thank you to everyone who responsibly pays their assessments in a timely manner. We greatly appreciate your continued loyalty and wish you the best in 2018.

Sincerely,

Joseph F. Grimme