



ATTORNEYS  
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\*ALSO LICENCED IN GEORGIA

March 10, 2016

**Certified Mail and Regular Mail**

Mr. Roman Kanach  
43 Brockmore Drive  
Greenville, South Carolina 29605

Dear Mr. Kanach:

The Board of Directors of Bonnie Brae Homeowners Association has received your Petition for a special meeting of the property owners of Bonnie Brae Subdivision. The Board has asked that I review your Petition and give my legal opinion as to whether or not it satisfies the requirements to hold a special meeting.

You have referenced, as your authority, §33-31-702(a)(2). This section only applies if your nonprofit corporation does not have bylaws. Please refer to paragraph (a)(1), which states that a special meeting can be called as authorized by the bylaws.

The petition fails to meet the requirements needed to call a special meeting as set out in the bylaws. For the reasons stated herein, the Board will not call a special meeting based on the petition you have filed with the Board. Since your petition failed to meet the requirements set out in the bylaws, the Board will not schedule a meeting, nor give notice of a meeting.

This Board operates strictly in compliance with the By-Laws, which have been adopted by the Bonnie Brae homeowners association, and will not tolerate or allow any activities that are in violation of the By-laws.

As a property owner, your bylaws state you "shall comply strictly with the By-Laws". Activities that are not in accordance with the By-laws will not be allowed, including interference with the Board's authority to govern the affairs of the association. The Board will take advantage of the judicial system if it detects continued actions that are in violation of the By-Laws.

You should note that your actions in concert with other owners, and/or non-owners, can constitute a civil conspiracy. The homeowners association has a binding contract with its current management company. Any activity on your part in concert with other individuals, to break this contract, could be construed by the courts as interference with an existing contractual relationship and subject you to damages resulting therefrom.



This Board will protect the rights of the homeowners and their organization from any illegal activities directed at the organization.

Yours truly,

Everette H. Babb  
Attorney at Law

EHB:cw

cc: Bonnie Brae HOA