

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF GREENVILLE )  
 )  
 Bonnie Brae Homeowners' Association, )  
 Inc., )  
 )  
 Plaintiff, )  
 v. )  
 )  
 HOA Community Management, )  
 Charlene Rice, Tim Roach, Tim Roach, )  
 Janine Wyman, Julie Hrobsky, Jason )  
 Resotka, and Donald Peake, )  
 )  
 Defendants. )

IN THE COURT OF COMMON PLEAS  
 THIRTEENTH JUDICIAL CIRCUIT  
 CIVIL ACTION NO. 2016-CP-23-06406

**SUPPLEMENTAL AFFIDAVIT OF  
 CHARLENE RICE**

PERSONALLY appeared before me Charlene Rice, who, being duly sworn, does hereby swear and affirm under the penalty of perjury the following statements:

1. My name is Charlene Rice. I am of the age of majority and am fully competent to testify to the facts set forth in this Affidavit.
2. Roman Kanach is not the legally elected President of the Bonnie Brae Homeowners' Association.
3. Roman Kanach was not legally elected to replace the Board in April 2016 and was not elected by the members at the March 10, 2017 annual meeting of the members.
4. Roman Kanach holds no elected position within the association; however, he continues to publish otherwise.
5. The Bonnie Brae Homeowners' Association continues to defend the current Board members and managing agent and agency against the plaintiff's false allegations, as is outlined in the governing document and management agreement.

6. All Bonnie Brae financial reports are accurate as published, as have been confirmed by five independent audits, the last of which was performed by an auditor specializing in fraud detection.

7. The 2016 financial reports were reviewed and approved by the Bonnie Brae Homeowners' Association Board of Directors, and the managing agent was duly authorized to review the financial report with the members during the 2017 annual meeting.

8. No member asked questions at the end of the financial presentation, and the members in attendance indicated their understanding and acceptance of the report.

9. Roman Kanach has previously published false statements regarding Bonnie Brae's financial condition and financial reports and continues to publish false statements regarding other associations.

10. The financial report reviewed during the Bonnie Brae 2017 annual meeting reflected the cash on hand at the beginning of 2016, as well as the year-end balance after a \$5,000 contribution to the reserve account. The report also compared the 2016 and 2017 budgets, which reflected expenses paid from each year's dues income.

11. The screen shot provided to members during the annual meeting was printed from an unauthorized Bonnie Brae website established by Roman Kanach.

12. Statements on the printout were unaltered and were the work of Roman Kanach and Simon Kaye, as shown when hovering over the notations on the financial report.

13. Roman Kanach's statements regarding various associations in which the financial records are stated to have been lacking and filled with irregularities are false and are intended to slander the business reputation of HOA Community Management.

14. Roman Kanach's statements that documents belonging to associations were not turned over are false.

15. Documentation of emailed financial reports remains on file in our office and all other documents were photographed and signed for during pick-up by the board members and their managing agent.

16. Roman Kanach's statement regarding shredding of Fairview Lake documents is false, as the expense being referenced was for retrieval of the association's documents which were stored at the document storage facility owned by Shred Away.

17. HOA Community Management adheres to the operating policies and procedures and the code of ethics outlined by the CAI and the SC Real Estate Commission.

18. As of the date of this Supplemental Affidavit, there are no established South Carolina laws to vet incoming association Board members, and therefore, situations occasionally arise, which result in a decision to separate our office from any situation where there is a refusal to adhere to the law or to ethical practices.

19. The Association invalidated proxies provided by Roman Kanach in compliance with the South Carolina Non-Profit Corporations Act because the member signing the proxy attended the meeting in person, the proxy was signed by a non-member, or the proxy did not contain the owner's name and had non-legible signature.

20. Additionally, several proxies provided by Roman Kanach indicated that they were for quorum purposes only and contained no votes attributable to any candidate.

21. Plaintiff's counsel was invited to observe the member check-in process and check the names against whatever records he liked.

22. Plaintiff's counsel was invited to and did observe the tallying of votes.

23. Plaintiff's counsel publicly confirmed the accuracy of the ballot and proxy count to the members in attendance at the March 10, 2017 annual meeting.

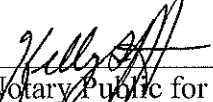
24. Roman Kanach, Thomas Wells, Richard King and Nancy Gresham all received three to five minutes to address the membership and attempt to garner votes. All were given uninterrupted time to make their speeches and Roman Kanach, Thomas Wells, Patricia Crocker, Richard King, and Nancy Gresham were allowed to participate fully in the election process and attempt to get elected.

25. Based on the vote tally, they lost the election.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Charlene Rice

Sworn and Subscribed Before Me  
This 19 day of April, 2017.

  
\_\_\_\_\_  
Notary Public for the State of South Carolina  
My Commission Expires: 7-20-2026

