

Q1 Please enter your unit

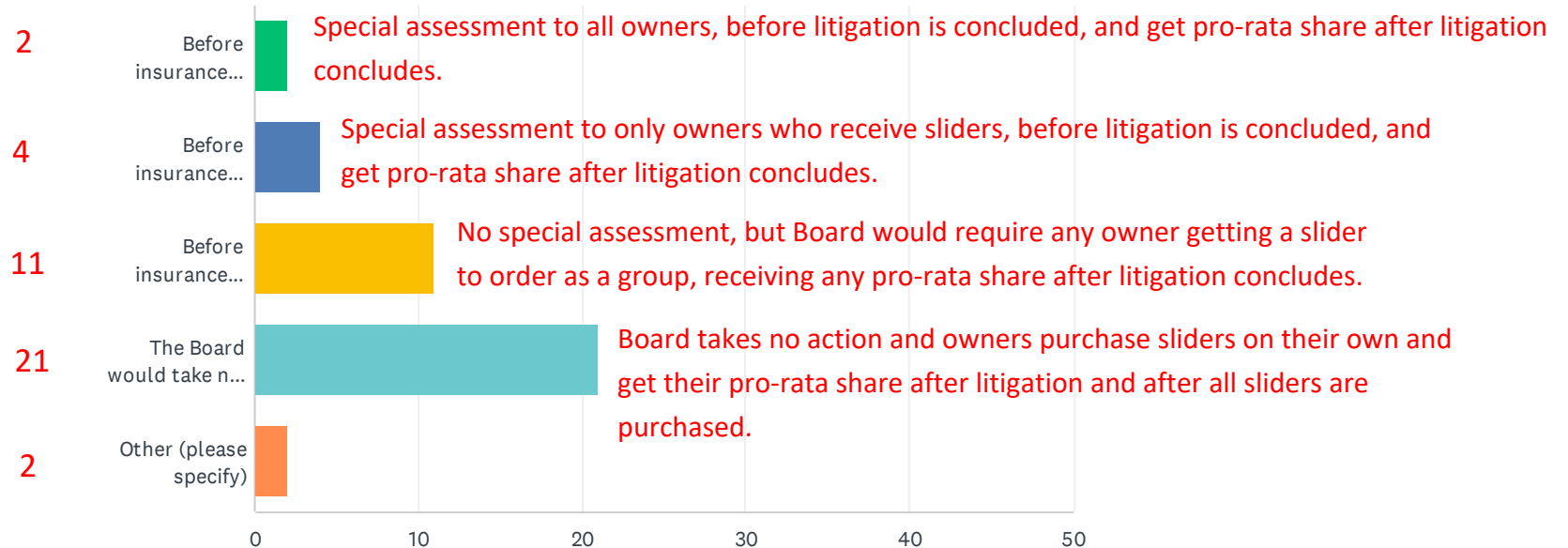
Answered: 41 Skipped: 0

Harborside Owners Survey - Sliders/Insurance Issue - April 2023

Hello Fellow Owners! Please answer the following questions to help the Board determine the path forward to replace the Sliders as required by the insurance settlement award. As it has been reported many times at past Board meetings, there is no insurance money left to purchase and install the sliders that were identified in the award. The remaining litigation regarding any additional funds due to HTOA is on-going and slow-moving. As a result of the insurance award, the HTOA is obligated to move forward despite the fact there is no insurance proceeds left to pay for this expense. Despite the many Board meeting discussions regarding this matter, there has been almost no owner attendance at the Board meetings, and therefore, no owner input on how the slider purchase and installation should occur. Your unit # is requested on this survey to ensure only one submission per unit. Even though there are some owners who are not entitled to sliders per the award, all owners will receive this survey due to the financial impact it may have on each owner. The individual responses/results of the survey will not be shared with any person (only board members have access to the survey results), however, the overall results will be shared on the website. Please

Q2 There are FOUR options to move forward with the purchase and replacement of sliders. In any of these options, should HTOA recover any \$\$ from the insurance litigation, the \$\$ would be distributed on a pro-rata share to owners. If the insurance litigation does not provide any additional compensation to HTOA, the sliders must still be replaced. Who pays and how this is done is the issue facing the HTOA. Depending on which option is chosen, the Board will determine how the pro-rata share is divided when and if there is any additional insurance proceeds. Choose only one option.

Answered: 40 Skipped: 1



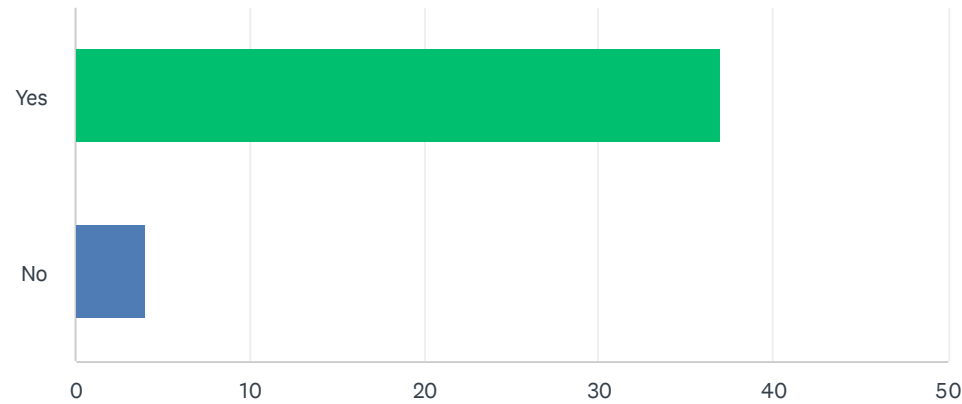
Comments: "There should be 90K in the Irma Account"

"Let owners of each unit decide there own fate in regard to replacing sliders. We are all free to accept any outcome based on our own decisions"

ANSWER CHOICES	RESPONSES	
<p>Before insurance litigation is concluded, a special assessment would be imposed to all Owners to cover the cost of the sliders, even though all owners are not entitled to a slider(s). Any subsequent insurance \$ would be divided per pro-rata share between all owners who paid this special assessment. Board would then proceed with ordering sliders.</p>	5.00%	2
<p>Before insurance litigation is concluded, a special assessment would be imposed only to Owners entitled to get a slider per insurance award. Any subsequent insurance \$ would be divided per pro-rata share between all owners who paid this special assessment. Board would then proceed with ordering sliders.</p>	10.00%	4
<p>Before insurance litigation is concluded, Board would identify Slider company and instruct owners to order sliders and pay for them individually. This would allow a discounted price for bulk ordering . Any owner identified on insurance award would be required to participate at this time. Pro-rata share of any insurance \$ would be divided between the owners who paid for the sliders.</p>	27.50%	11
<p>The Board would take no action before insurance litigation was concluded, however, any owner identified on the insurance award could purchase their slider. Any subsequent insurance \$ would then be divided per pro-rata share between any owner who did so, after the remaining owners' sliders were replaced in a manner to be determined.</p>	52.50%	21
<p>Other (please specify)</p>	5.00%	2
<p>TOTAL</p>	40	

Q3 In light of the fact the HTOA survived Hurricane Ian, and no reported damage was identified from slider failure to the Board, should the Board allow owners who have hurricane-rated sliders, who do not wish to purchase and install new sliders, the opportunity to "opt-out"? *Note that units which do not have hurricane rated sliders would not be allowed to opt-out. Allowing owners to "opt-out" decreases the financial burden placed on the HTOA per the insurance award which may be passed on to owners if sufficient additional compensation is not received from the insurance litigation. The fewer sliders that have to be replaced is less of a cost to the HTOA.

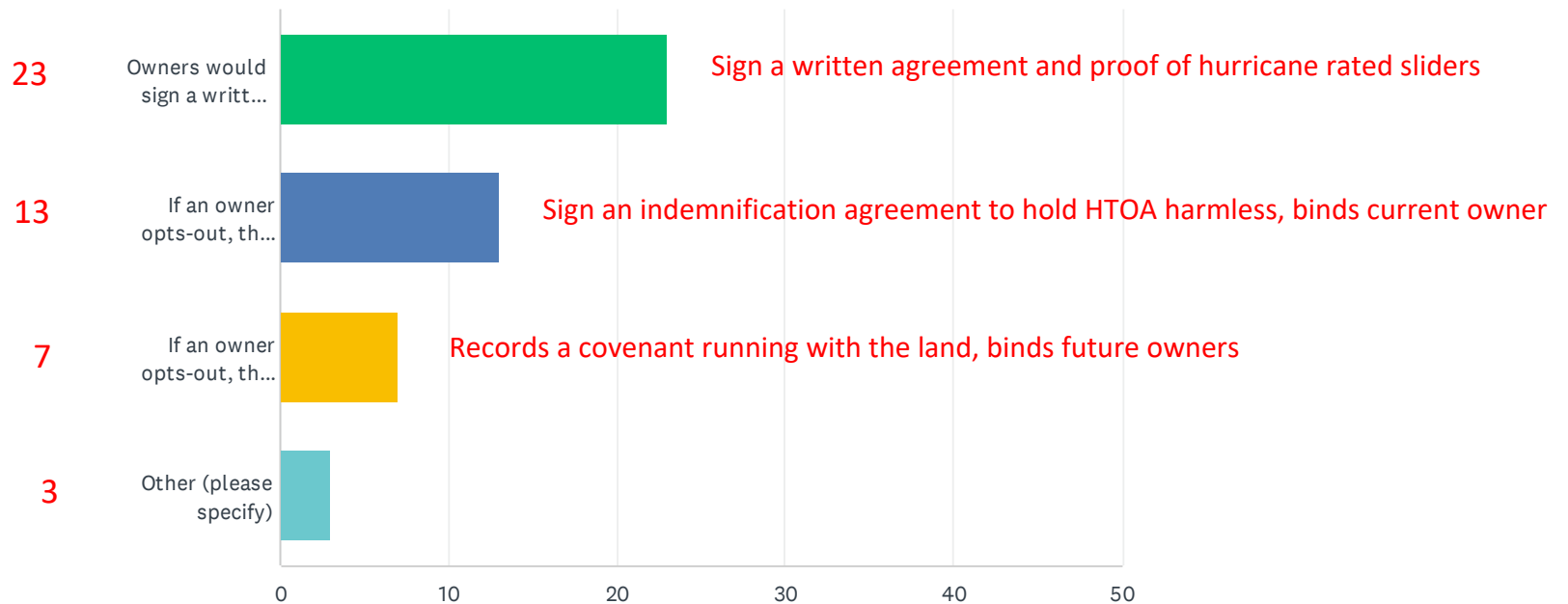
Answered: 41 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	90.24%	37
No	9.76%	4
TOTAL		41

Q4 If you answered "YES" in Q3 to allow owners to "opt-out" please check any boxes that which explain the steps an owner would have to take.

Answered: 35 Skipped: 6



Comments:

"If there are new owners they should know about the liability for the window and as part of the HOA approval for new owner they need to know they need to sign new waiver "opt out" or have to replace the sliders that were in question, before it is too late in sale process".

"Where does the HTOA have the authority to bind future owners or require recording the opt out agreement. Clearly this is Ultra Vires."

"Opportunity for testing the slider prior to decision to opt in or out"

"I don't believe the bod can force residents to sign anything that would affect their liability or deed which would affect their sale ability."

"Is it verified by HTOA that each unit owner has some minimum basic insurance that would cover some damage to unit(s) below from any water damage? Or is it possible that some owners do not have insurance?"

ANSWER CHOICES	RESPONSES	
Owners would sign a written agreement that they "opt-out" of replacing the sliders and relieve the HTOA of any financial responsibility for doing so. Owners would be required to provide proof of existing hurricane-rated sliders.	65.71%	23
If an owner opts-out, the agreement would indemnify the HTOA against any future damage that may be sustained due to the fact owners choose not to replace slider. This indemnification agreement binds the current owner of the unit that signs the agreement, no future owners of that particular unit would be bound.	37.14%	13
If an owner opts-out, the agreement would require owners to record on their property deed, a covenant "running with the land" on their unit with Collier County. Recording this document will bind any future owners to the indemnification agreement signed by the previous owner (however, in the event an owner wishes to sell their unit, this covenant would be disclosed in any real estate listing and remain recorded on the deed in perpetuity).	20.00%	7
Other (please specify)	8.57%	3
Total Respondents: 35		