



“perceived conflict of interest”

SETTLEMENT AGREEMENT & MUTUAL RELEASE

BOARD of DIRECTORS



- **Ted Bertele** is an HOA director. He owns Lots 1 & 3, which he obtained from **Lone Pine Real Estate, LLC**. Both Lots are in arrears. **Mr. Bertele's** total debt as Owner of these Lots is \$35,100. For three years **Mr. Bertele's** duty as director required him to collect these delinquencies. Instead, he helped draft the Settlement Agreement & Mutual Release (SAMR), which intended to shift \$25,000 of his debt to **Lone Pine** while forgiving the remaining balance of \$10,100. **Mr. Bertele** described his conflict of interest as “perceived.”
- **Lone Pine Real Estate, LLC**, owns Lot 2 and Parcel C, which are in arrears. **Lone Pine's** total debt as Owner of this land is \$17,600. The SAMR intended **Lone Pine** to pay \$25,000 of **Mr. Bertele's** debts on Lots 1 & 3 in exchange for “good standing.” The SAMR also intended to forgive all of **Lone Pine's** outstanding debts & liabilities, which are uncalculated.
- **Scott Schorer**, “as the sole member of **Lone Pine**, directed and controlled the Association by and through its Board of Directors from 2006 through 2018.” **Mr. Schorer** is **Ted Bertele's** brother-in-law and partner in land development to subdivide Lots 1, 2, 3, and Parcel C into new Lots for sale. All four properties are delinquent.

- **Lee Mayberry** is an HOA director. For two years his duty required him to collect these delinquencies from **Mr. Bertele** and **Lone Pine**. Instead, he helped draft the SAMR. **Mr. Mayberry** described these conflicts of interest as “perceived.”

- **Vacated Seat:** On April 7, 2021, **Eric Anderson** resigned from the Board of Directors, stating,

“It has become clear to me that there are far too many complex and overlapping interests, issues, and hurdles to be resolved. . . . The reason I am stepping down is because I believe in honesty and transparency, and I do not feel that is possible with the current situation.”

Two weeks later Messrs. **Mayberry** & **Bertele** notified the HOA of the SAMR. **Mr. Anderson** had no role in it.

The SAMR intended to forgive only two Members of their debts: **Lone Pine** & **Ted Bertele**.



Total Back Dues
\$17,600

Total Back Dues
\$35,100

Brother-in-Law & Co-Developer

Forgives \$17,600 and Wipes out all Liabilities

Warranty Deed from Lone Pine

Quit Claim from Lone Pine

Charges Lone Pine for the \$25k

Forgives \$10,100

Cuts Debt to \$25k

Two Owners, Four Properties

Total Back Dues: \$52,700
SAMR Payment: \$25,000
Total HOA Loss: \$27,700