

MIAMI GREEN RESORT CONDOMINIUM OWNER'S ASSOCIATION, PENANG

registered at the ROS under association no. 1618

Miami Green Resort Condominium Owner's Association
28 Jalan Pantai Miami ▪ 11100 Batu Ferringhi ▪ Penang

Mr.
Barry Lingard
- committee member since 12/2006 -
Miami Green Resort G-13A-2

correspondence address
c/o Mr. Jens Kehrhahn / Hon. Chairman
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cc: our committee members

Hon. Vice-Chairman	Mr. Heng Heang Kiang	C-18-2		
Hon. Treasurer	Ms. Teresa Lim	D-11-3		
Hon. Asst. Treasurer	Ms. Khim Lyon	A-27-2		
committee members	Ms. Linda Lo	C-18-1		
	Ms. Michelle Leanne	C-12-3	Mr. Alistair J. Black	G-22-3
	Mr. James Yeoh	E-2-1	Mr. Kris Lee	D-13-3
+ our internal auditors	Ms. Fong Khee Theng	A-3-3A	Mr. Siew Weng Kong	C-6-3A
+ the 'speakers' of our	Miami Green Cash Buyers	Action Committee		
	Mr. Robert Dignan	F-4-3	Mr. Gerhard Leschke	C-28-3A
	Mr. Michael Lyon	A-27-2	Mr. Johan Redza	C-18-3
+	Ms. Natalie Chow	A-15-3A		

28th March 2007

Dear Mr. Barry,

on 14th March, when we met up at Robert Dignan's place as requested by me in order to discuss with you what was on my my regarding the setup of future committee meetings, you gave me an undated, unsigned memo on which you state your personal views concerning a few things related to myself as present Hon. Chairman of our association:

I wanted to respond already on the 16th (but couldn't due to lacking time) and since you keep sending partially interesting / partially absurd / partially falsely accusing emails and anonymous memos of (to me) very doubtful character (despite of my repeated urging requests to stop doing so !) I feel forced to take the time to answer you today..

Following my policy of ,transparency in all details' I am sending a copy of this to our committee-members together with a copy of your memo.

In your latest undated, anomous memo (it got into my posession today), addressed to eight fellow-owners, you write about your intention of approaching (again ?) the Penang Hi-Rise Association regarding aspects of the developer's funding stating

Quote

I intend to send an e-mail to the president of the Penang High Rise Association with the contents of the flyer we sent to all owners regarding the events of the party.

I am certain he will not have the true story from Jens

Would you all consent to being part of a concerned group working together? If so would you add your Miami Green Address?

Nothing would be done without informing everyone well before hand and we all agree. Letters and E-mails would be sent to everyone for ageement before being used.

Unquote

...making our Miami Green Resort the finest on Penang island!

registered add. c/o Finfield Corporate Services Sdn.Bhd. ▪ Suite 701 & 702, 7th floor ▪ 11 Lorong Kinta ▪ 10400 Penang

With your second sentence you accuse me of being dishonest and untruthful - which constitutes for me now a status, in which I take the liberty of classifying any further email or memo from you as "junk mail" and might choose to respond to it or not (and if I should not, it will just mean I have no time in my life to deal with the junk you produce, it would not mean "you are right because I keep silent" !).

My answer to the undated, unsigned memo you gave me on 14-3-2007:

Your point:

My answer:

1. absurd, view the agendas published on our website;
"double remarkle" as you attended 1 (or 2 ?) meetings only so far.
2. website, mailing-list & forum: you are wrong - I did not "high jack"
but I invented them to enable and promote an alive multiple communication
within our neighbourhood.
3. if committee-members should not be able to attend meetings, what could
be wrong in asking for opinions ?
4. a matter personal understanding and personal conclusion: my actual
impressions, you are being absurd in quite many conclusions that to come
to for yourself !
5. wrong, see pt. 1
6. correct is, that we were forced to compromise particularly regarding the
Hon. Secretaries that we were grateful and glad to have won for our
association since May 2005, when the actual committee got in charge:
 - may I recall that those elections in May 2005 had to be postponed
three times because none of the present fellow-owners was prepared
to take any committee-function at all (!)
 - ...*compromise* in the sense that our estimated two Hon. Secretaries
we had, emphasized from the beginning they would not be able to fulfill
the requirements regarding their function to establish meeting-minutes,
which consequently was taken over by myself as a matter of force majeure
7. wrong, reference points 1 + 6
8. wrong, reference points 1 + 6 + 7
9. wrong, please read again & understand (ideally generally before you publish
silly comments and force others to lose time with yr written b/s)
10. wrong, if you had attended e.g. the committee-meeting on January 17th 2007,
you had not engaged into such 'misunderstanding' (respect. would not write
such a nonsense, would not force me to spend time on a memo like this !)
11. ref. point 4, *are we getting totally mad now ??*
12. You might be a bored retiree ("*are you ?*" I asked you this recently already,
as you failed to respond I still don't know and wonder...) while everyone else
of our actual committee has got actual duties and responsibilities, which force
to deal most wisely with the available time.
I am very sorry you feel pissed off by my abbreviations [so do I when having
to deal with the often absurd things you produce in written form]
...which is just an expression of the personal time-constraint I am facing
personally constantly.

Dear Barry,

if you should like to discuss examples of **unprofessional forms** of written or verbal communications (respect. how to avoid them), e.g.

- Avoiding confusion about yourself from sending out undated, unsigned, anonymous memos (to fellow-owners, to myself, to the management-office (ref your memo 2-1-2007)
- or considerations/recommendations regarding “people skills” (“how to approach a property manager to avoid he kicks me out from his office”)

...maybe we could find the time for a verbal excursion into such reflections over a bottle of red wine occasionally !??

Dear Barry,

last not least, I would like to draw your special attention to one principle point you seem to overlook all the time

→ **the duties of a committee of an owners association like ours before the Strata Title is established consists of these points only:**

- 1./ to educate and to prepared fellow-owners concerningt he future collective responsibilities
- which is being done
- 2./ to take care about their financial interests, bearing in mind the „Malaysian system“ as per the HBA’s advice
- which is also being done
- 3./ to **TRY** getting the property manager to correspond to any owners’ complaints regarding the ongoing maintenance and condition of their condominium
- which is being done constantly by our Mr. Foo himself
(you are actually the only 1 fellow-owners I know of, who is appearantly not satisfied with Mr. Foo’s job performance !?)
- by „everyone“ (everyone who lives in our resort knows Mr. Foo will immediately correspond to her/his complaints whenever possible, you should have understood this also from his responds to your meeting memos !?)
- and during the last four months also/especially by yourself
(ref our verbal agreement of early December)

In Malaysia, residents associations have no legal status which entitled them e.g. to any legal action as long as the Strata Title is not established! *We can asked nicely*, but the developer doesnt have to do what we ask.

This may be different in the UK, but if it was different there, it wouldn’t change anything for us here. In the light of the hints of this page you may re-consider for yourself the benefit of whatever you have sent out recently...

With kind regards,

Jens kehrhahn