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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

10  
11 TARZANA PLAZA CONDOMINIUMS  
ASSOCIATION, a California nonprofit  
12 mutual benefit corporation,  
13 Plaintiff,  
14 v.  
15 EUGENE SAAL, an individual; RUBICELIA  
SCHULTZ, an individual; JUDY WEISS, an  
16 individual; PASCAL BRENNINKMEIJER, an  
individual; and DOES 1-25, inclusive,  
17 Defendant.

Case No. LC106595

NOTICE OF ENTRY OF ORDER  
GRANTING *EX PARTE* APPLICATION OF  
STEPHEN J. DONELL, STATE COURT  
RECEIVER, FOR ORDER AUTHORIZING  
RECEIVER TO LEVY AN EMERGENCY  
ASSESSMENT IN THE AMOUNT OF  
\$1,313,000.00 TO PAY FOR 1) ROOF  
REPLACEMENT; 2) BOILER  
REPLACEMENT; 3) COMMON AREA  
REPAIRS/REPLACEMENTS; 4) REPAIRS  
TO UNITS DAMAGED BY WATER  
INTRUSION FROM COMMON AREAS;  
AND 5) OUTSTANDING AND UNPAID  
EXPENSES AND ANTICIPATED  
EXPENSES OF TARZANA PLAZA  
CONDOMINIUMS ASSOCIATION,  
INCLUDING FEES AND COSTS OF  
RECEIVER AND HIS COUNSEL

DATE: February 26, 2019  
TIME: 8:30 a.m.  
DEPT: A

The Hon. Huey P. Cotton, Dept. A

Complaint Filed: December 14, 2017  
Discovery Cutoff: Unknown  
Motion Cutoff: Unknown  
Trial Date: Unknown

27 TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF  
28 RECORD HEREIN:

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PLEASE TAKE NOTICE that the Order Granting *Ex Parte* Application of Stephen J. Donell, State Court Receiver, for Order Authorizing Receiver to Levy an Emergency Assessment in the Amount of \$1,313,000.00 to Pay for 1) Roof Replacement; 2) Boiler Replacement; 3) Common Area Repairs/Replacements; 4) Repairs to Units Damaged by Water Intrusion from Common Areas; and 5) Outstanding and Unpaid Expenses and Anticipated Expenses of Tarzana Plaza Condominiums Association, Including Fees and Costs of Receiver and his Counsel (the "Order") was signed by the Honorable Huey P. Cotton, Judge of the Superior Court, on February 26, 2019. A true and correct the Order is attached hereto as **Exhibit "A"** and incorporated herein as though set forth in full.

DATED: February 26, 2019

ERVIN COHEN & JESSUP LLP



By: \_\_\_\_\_  
BYRON Z. MOLDO  
Attorneys for Stephen J. Donell,  
State Court Receiver

# EXHIBIT “A”

ORIGINAL

CONFORMED COPY  
ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

FEB 26 2019

FILED  
Superior Court of California  
County of Los Angeles

FEB 26 2019

By: Sherri R. Carter, Executive Officer/Clerk  
By: Reanna Redmond, Deputy

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Sherri R. Carter, Executive Officer/Clerk  
By: Reanna Redmond, Deputy

6 Attorneys for Stephen J. Donell, State Court Receiver

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

ERVIN COHEN & JESSUP LLP

11 TARZANA PLAZA CONDOMINIUMS  
ASSOCIATION, a California nonprofit  
12 mutual benefit corporation,

13 Plaintiff,

14 v.

15 EUGENE SAAL, an individual; RUBICELIA  
SCHULTZ, an individual; JUDY WEISS, an  
16 individual; PASCAL BRENNINKMEIJER, an  
individual; and DOES 1-25, inclusive,

17 Defendants.  
18  
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Case No. LC106595

~~PROPOSED~~ ORDER GRANTING EX  
PARTE APPLICATION OF STEPHEN J.  
DONELL, STATE COURT RECEIVER,  
FOR ORDER AUTHORIZING  
RECEIVER TO LEVY AN EMERGENCY  
ASSESSMENT IN THE AMOUNT OF  
\$1,313,000.00 TO PAY FOR 1) ROOF  
REPLACEMENT; 2) BOILER  
REPLACEMENT; 3) COMMON AREA  
REPAIRS/REPLACEMENTS; 4)  
REPAIRS TO UNITS DAMAGED BY  
WATER INTRUSION FROM COMMON  
AREAS; AND 5) OUTSTANDING AND  
UNPAID EXPENSES AND ANTICIPATED  
EXPENSES OF TARZANA PLAZA  
CONDOMINIUMS ASSOCIATION,  
INCLUDING FEES AND COSTS OF  
RECEIVER AND HIS COUNSEL

DATE: February 26, 2019

TIME: 8:30 a.m.

DEPT: A

The Hon. Huey P. Cotton

Complaint Filed: December 14, 2017

1 On February 26, 2019, at 8:30 a.m., in Department A of the above-entitled Court, located  
 2 at 6230 Sylmar Avenue, Van Nuys, California 91401, the *Ex Parte* Application of Stephen J.  
 3 Donell, State Court Receiver (“Receiver”), for Tarzana Plaza Condominiums Association  
 4 (“Association”), for an order Authorizing the Receiver to Levy an Emergency Assessment in the  
 5 Amount of \$1,313,000.00, to be Assessed to each of the 101 Individual Condominium Units in the  
 6 Amount of \$13,000.00 per Unit (the “Emergency Assessment”), to Pay for 1) Roof Replacement;  
 7 2) Boiler Replacement; 3) Common Area Repairs/Replacements; 4) Repairs to Units Damaged by  
 8 Water Intrusion from Common Areas; and 5) Outstanding and Unpaid Expenses and Anticipated  
 9 Expenses of the Association, Including Fees and Costs of Receiver and his Counsel, came on for  
 10 continued hearing by the Court. Notice of the Application was provided to all parties in  
 11 accordance with the Code and the Court’s prior order. Byron Z. Moldo, on behalf of Ervin Cohen  
 12 & Jessup LLP, appeared on behalf of the Receiver. Stephen J. Donell, Receiver, appeared on  
 13 behalf of the Association. All other appearances were stated on the record as reflected in the  
 14 Court’s minute order.

15 After considering the Receiver’s moving papers, supporting declarations and exhibits, and  
 16 Opposition papers, if any, and good cause appearing therefor,

17 IT IS HEREBY ORDERED that the Ex Parte Application is granted as follows:

- 18 1. The Receiver is authorized to borrow up to \$1,500,000.00 from a lender and on  
 19 terms as approved by the Court provided that amended and restated covenants, conditions and  
 20 restrictions (“CC&Rs”) and restated bylaws for Tarzana Plaza Condominiums Association  
 21 (“Association”) are approved either by the minimum number of shareholders of the Association,  
 22 or subsequent Court order.
- 23 2. The proceeds of the loan described in paragraph 1 above must be received by the  
 24 Receiver no later than ten (10) days after amended and restated CC&Rs and restated bylaws for  
 25 the Association are approved, either by the minimum number of shareholders of the Association,  
 26 or by an order of this Court.
- 27 3. The original budget of the Association prepared by the Receiver, a copy of which is  
 28 attached hereto as **Exhibit “A,”** proposed that the regular monthly homeowners’ association fees,

1 upon approval of the amended and restated CC&Rs and restated bylaws, would be set at \$472.50  
2 per month.

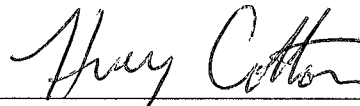
3 4. The revised budget of the Association prepared by the Receiver, a copy of which is  
4 attached hereto as **Exhibit "B,"** is approved.

5 5. Provided that amended and restated CC&Rs and restated bylaws for the  
6 Association are either approved by the minimum number of shareholders of the Association, or by  
7 Court order, the regular monthly homeowners' association dues <sup>shall be</sup> are reduced to ~~\$472.50~~ per month  
8 until ~~7/1/20~~.

9 6. If the loan proceeds described in paragraphs 1 and 2 above are not actually received  
10 by the Receiver within ten (10) days after amended and restated CC&Rs and restated bylaws for  
11 the Association are approved either by the minimum number of shareholders of the Association, or  
12 by an order of this Court, the Receiver is authorized to immediately impose an emergency  
13 assessment in the amount of \$935,000.00, to be assessed to each of the 101 individual  
14 condominium units in the amount of \$9,270.00 per unit, as follows: \$1,500.00 down payment  
15 within forty-five (45) <sup>days</sup> following written demand by the Receiver, and \$ 259.00 per month for 30  
16 months, as set forth in Section 4.03(e) of the Association's bylaws, and based on the revised  
17 budget for special assessment which is attached hereto as **Exhibit "C."** This assessment is  
18 exclusive of, and in addition to, the monthly homeowners' association fees currently being  
19 assessed.

20 **IT IS SO ORDERED.**

21 Dated: February 26, 2019

  
\_\_\_\_\_  
Hon. Huey P. Cotton  
Judge of the Superior Court

# **EXHIBIT A**

Tarzana Plaza Condominiums Association

Draft Jan 15, 2019

Monthly and Annual Budget 2019

Annual	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
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Revenues

Regular Assessments Income (\$472.50 per Unit/Month)	\$ 572,670.00	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50	\$ 47,722.50
Special Assessments Income (\$13,000/Unit)	\$ 1,313,000.00	\$ -	\$ -	\$ -	\$ 1,313,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Laundry Income	\$ 4,007.00	\$ -	\$ -	\$ 1,001.00	\$ -	\$ -	\$ 1,002.00	\$ -	\$ 1,002.00	\$ -	\$ -	\$ 1,002.00
Interest Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Less: Delinquencies (14%)	\$ (265,259.00)	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92	\$ 22,104.92
<b>Total - Revenues</b>	<b>\$ 1,624,418.00</b>											

Administrative Expenses

Accounting/Tax Returns	\$ 2,500.00	\$ -	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Expense	\$ 600.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Annual Reserve Study	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Association Management Fees	\$ 42,000.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
Bank Charges	\$ 240.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Court Filing Fees	\$ 480.00	\$ -	\$ 120.00	\$ -	\$ -	\$ 120.00	\$ -	\$ 120.00	\$ -	\$ 120.00	\$ -	\$ 120.00
Dues/Subscriptions	\$ 120.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Fire Alarm Monitoring	\$ 3,000.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
FTB Expense	\$ 800.00	\$ -	\$ -	\$ 800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
HOA Board Meeting Expense	\$ 2,000.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ 500.00
IRS Expense	\$ 1,008.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00
Legal - Collections	\$ 2,400.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
Legal - General	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Parking Passes	\$ 120.00	\$ -	\$ -	\$ 30.00	\$ -	\$ -	\$ 30.00	\$ -	\$ -	\$ 30.00	\$ -	\$ 30.00
Postage/Delivery/Copying	\$ 600.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Professional Fees	\$ 12,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Receiver's Bond	\$ 175.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 175.00	\$ -	\$ -	\$ -	\$ -
Receivership Fees/Legal	\$ 50,400.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00
Receivership Fees/Receiver	\$ 50,400.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00
Security Patrol	\$ 9,444.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00	\$ 787.00
Supplies	\$ 2,580.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00

Insurance Expense

Insurance Expense	\$ 25,780.00	\$ 6,930.00	\$ 6,930.00	\$ 6,930.00	\$ 6,930.00	\$ 6,930.00	\$ 6,929.00	\$ 6,930.00	\$ 6,929.00	\$ 6,930.00	\$ 6,929.00	\$ 6,930.00
Directors & Officers	\$ 25,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Earthquake	\$ 17,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Employee Dishonesty	\$ 464.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
General Liability	\$ 8,749.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hazard Insurance/Building	\$ 39,093.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insurance Financing Expense	\$ 2,227.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Umbrella	\$ 1,544.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Worker's Comp.	\$ 570.00	\$ 570.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



	Annual	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
<b>Maintenance &amp; Repairs</b>													
Bolter Maintenance/Repair	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Common Area Lighting	\$ 600.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Common Area Maintenance/Repair- General	\$ 4,800.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00
Electrical Repairs	\$ 1,700.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Elevator Maintenance	\$ 7,800.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00
Elevator Repairs	\$ 3,000.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Fire Alarm Repair	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fire Extinguisher Maintenance/Repair	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Locks & Keys	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Intercom/Directory Expense	\$ 1,800.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Janitorial/Cleaning	\$ 39,864.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00	\$ 3,322.00
Landscape Maintenance	\$ 13,056.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00	\$ 1,088.00
Landscape/Irrigation Repairs	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Light Bulbs	\$ 240.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Parking Lot Cleaning/Sweeping	\$ 4,800.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00
Pest Control Service	\$ 3,825.00	\$ 800.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00
Plumbing Systems Repair	\$ 24,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Pool & Spa Maintenance	\$ 3,300.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00
Pool & Spa Repairs	\$ 3,000.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Reserve Fund Allocation	\$ 51,600.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00
Roof Maintenance/Repair	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Tree Trimming	\$ 6,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Water Treatment/Corrosion	\$ 2,184.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Permits</b>													
Elevator Permit	\$ 320.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pool Permit	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Utilities</b>													
Internet/Cable	\$ 420.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Refuse Disposal	\$ 11,520.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00
Telephone	\$ 300.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
Utilities - DWP	\$ 90,000.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
Utilities - Gas	\$ 12,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
<b>Total - Expenses</b>	\$ 572,643.00												

Elevator Permit	\$ 320.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pool Permit	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Internet/Cable	\$ 420.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Refuse Disposal	\$ 11,520.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00
Telephone	\$ 300.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
Utilities - DWP	\$ 90,000.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
Utilities - Gas	\$ 12,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
<b>Total - Expenses</b>	\$ 572,643.00												

Capital and Other Expenses:

Roof Placement	\$	404,968.00
Plywood Replacement (50 Sheets Est.)	\$	3,750.00
Facia Boards - est.	\$	2,000.00
Walk Treads - est.	\$	1,500.00
Van Dijk Supervision \$750/day	\$	30,000.00
Permit - est.	\$	2,000.00

Boiler Replacement	\$	38,688.00
Permit	\$	650.00

Mold Remediation/Repairs - est.	\$	50,000.00
Hallway Carpeting - est.	\$	30,000.00
Elevator Refurbishments	\$	50,000.00
Receiver's Fees and Costs thru 12/31/18	\$	100,000.00
Ervin Cohen & Jessup Legal thru 12/31/18	\$	130,000.00
Receivership Specialists per Court Order	\$	72,500.00
Strom & Associates	\$	9,500.00
Loewenthal Hillshafer	\$	11,325.00
Jalmar Properties, Inc.	\$	4,982.00
LADWP	\$	30,809.00
SingerLewak	\$	1,388.00
The Judge Law Firm	\$	2,715.00
Plumbing - Unknown	\$	75,000.00
Total	\$	<u>1,051,775.00</u>

Claims Received:	\$	<u>337,282.00</u>
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Note: No funds are allocated in this budget to pay claims.

Funds Required

Capital + Other	\$	1,051,775.00
Total Expenses	\$	<u>572,643.00</u>
	\$	<u>1,624,418.00</u>

Funding Source

Special Assessment (\$13,000/Unit)	\$	1,313,000.00
Regular Assessments (\$472.50 per Unit/month)	\$	572,670.00
	\$	<u>1,885,670.00</u>
Less: Delinquency (14%)		<u>(265,259.00)</u>
	\$	1,620,411.00
Add: Laundry	\$	4,007.00
	\$	<u>1,624,418.00</u>

# **EXHIBIT B**

Tarzana Plaza Condominiums Association

Draft February 21, 2019

Monthly and Annual Budget 2019 - REVISED PER COURT ORDER

	Annual	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
<b>Administrative Expenses</b>													
Accounting/Tax Returns	\$ 2,500.00	\$ -	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Expense	\$ 600.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Association Management Fees	\$ 42,000.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
Bank Charges	\$ 240.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Court Filing Fees	\$ 480.00	\$ -	\$ 120.00	\$ -	\$ -	\$ 120.00	\$ -	\$ -	\$ 120.00	\$ -	\$ -	\$ 120.00	\$ -
Dues/Subscriptions	\$ 120.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Fire Alarm Monitoring	\$ 3,000.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
FTB Expense	\$ 800.00	\$ -	\$ -	\$ 800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
HOA Board Meeting Expense	\$ 2,000.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00
IRS Expense	\$ 1,008.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00	\$ 84.00
Legal - Collections	\$ 2,400.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
Legal - General	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Parking Passes	\$ 120.00	\$ -	\$ -	\$ 30.00	\$ -	\$ -	\$ 30.00	\$ -	\$ -	\$ 30.00	\$ -	\$ -	\$ 30.00
Postage/Delivery/Copying	\$ 600.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Professional Fees	\$ 12,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Receiver's Bond	\$ 175.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 175.00	\$ -	\$ -	\$ -	\$ -	\$ -
Receivership Fees/Legal	\$ 50,400.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00
Receivership Fees/Receiver	\$ 50,400.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00
Supplies	\$ 2,580.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00	\$ 215.00

<b>Insurance Expense</b>		\$ 20,793.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96	\$ 5,615.96
Insurance Expense													
Directors & Officers	\$ 25,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Employee Dishonesty	\$ 464.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
General Liability	\$ 8,748.52	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hazard Insurance/Building	\$ 39,092.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insurance Financing Expense	\$ 1,804.78	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Umbrella	\$ 1,544.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Worker's Comp.	\$ 570.00	\$ 570.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Insurance Expense</b>	\$ 77,523.56												

<b>Maintenance &amp; Repairs</b>													
Boiler Maintenance/Repair	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Common Area Lighting	\$ 600.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Common Area Maintenance/Repair-General	\$ 4,800.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00
Electrical Repairs	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Elevator Maintenance	\$ 7,800.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00
Elevator Repairs	\$ 3,000.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Fire Alarm Repair	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ 150.00	\$ -	\$ -	\$ -	\$ 150.00	\$ -	\$ -	\$ -
Fire Extinguisher Maintenance/Repair	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ 300.00	\$ -	\$ -	\$ -	\$ 300.00	\$ -	\$ -	\$ -
Locks & Keys	\$ 1,200.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Intercom/Directory Expense	\$ 1,800.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Janitorial/Cleaning	\$ 7,140.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00	\$ 595.00
Plumbing Systems Repair	\$ 24,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Pool & Spa Maintenance	\$ 3,300.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00
Pool & Spa Repairs	\$ 3,000.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Water Treatment/Corrosion	\$ 2,184.00	\$ -	\$ -	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -	\$ 684.00	\$ -	\$ -	\$ -	\$ -

Annual	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
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**Permits**

Elevator Permit	\$ 320.00	\$ -	\$ -	\$ 320.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pool Permit	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

**Utilities**

Internet/Cable	\$ 420.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Refuse Disposal	\$ 11,520.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00
Telephone	\$ 300.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
Utilities - DWP	\$ 90,000.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
Utilities - Gas	\$ 12,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00

Delinquency Factor 12%	\$ 51,280.00	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33	\$ 4,273.33
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<b>Total - Expenses</b>	<b>\$ 478,610.56</b>
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<b>Proposed Monthly HOA Assessment (rounded)</b>	<b>\$395.00 per unit/per month</b>
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# **EXHIBIT C**

**TARZANA PLAZA CONDOMINIUMS**  
**REVISED BUDGET FOR SPECIAL ASSESSMENT**  
**AS DIRECTED BY THE COURT**  
**2/20/19**

Roof Replacement:	\$ 444,218.00
Boiler Replacement Est:	\$ 39,338.00
LADWP:	\$ 26,208.15
Receiver's Fees and Costs through 1/31/19:	\$ 125,095.85
Ervin Cohen & Jessup Legal Fees through 1/31/19:	\$ 140,347.17
Strom & Associates through 1/31/19:	\$ 14,614.69
Lowenthal Hillshafer Legal fees thru 12/31/18	\$ 14,288.46
Jalmar Properties, Inc.	\$ 8,482.04
SingerLewak, LLP	\$ 2,231.50
Southern California Gas Company:	\$ 1,906.66
Miscellaneous contingency reserve	\$ 6,019.48
Provision for delinquency at 12%	<u>\$ 112,200.00</u>
<b>Total:</b>	<b>\$ 935,000.00</b>

Divided equally between 101 units equals: \$ 9,257.43 per unit

Note: there is no reserve for non-payment

ERVIN COHEN & JESSUP LLP

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**PROOF OF SERVICE**

**Tarzana Plaza Condominiums Assn. v. Eugene Saal et al.  
Case No. LC106595**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 9401 Wilshire Boulevard, Ninth Floor, Beverly Hills, CA 90212-2974.

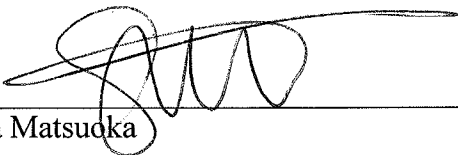
On February 26, 2019, I served true copies of the following document(s) described as **NOTICE OF ENTRY OF ORDER GRANTING EX PARTE APPLICATION OF STEPHEN J. DONELL, STATE COURT RECEIVER, FOR ORDER AUTHORIZING RECEIVER TO LEVY AN EMERGENCY ASSESSMENT IN THE AMOUNT OF \$1,313,000.00 TO PAY FOR 1) ROOF REPLACEMENT; 2) BOILER REPLACEMENT; 3) COMMON AREA REPAIRS/REPLACEMENTS; 4) REPAIRS TO UNITS DAMAGED BY WATER INTRUSION FROM COMMON AREAS; AND 5) OUTSTANDING AND UNPAID EXPENSES AND ANTICIPATED EXPENSES OF TARZANA PLAZA CONDOMINIUMS ASSOCIATION, INCLUDING FEES AND COSTS OF RECEIVER AND HIS COUNSEL** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Ervin Cohen & Jessup LLP's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 26, 2019, at Beverly Hills, California.

  
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Angela Matsuka



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SERVICE LIST  
Tarzana Plaza Condominiums Assn. v. Eugene Saal et al.  
Case No. LC106595

**Defendant in Pro Per Eugene Saal**

Eugene Saal  
18530 Hatteras Street, #10  
Tarzana, CA 91356

**Attorneys for Defendant Rubicelia Schultz**

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**Stephen J. Donell, State Court Receiver\***

Stephen J. Donell, State Court Receiver  
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\* *Via Email*

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**Tarzana Plaza Condominiums**

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