

# Grime Law LLP

Sacramento | Manteca | Fresno | Los Angeles

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BEpstein@Grimelaw.com

July 15, 2024

**[www.birdcageheights.com](http://www.birdcageheights.com)**

**The website has moved temporarily.**

By Certified and First-Class U.S. Mail

## Cease and Desist

Stephen C. Hill & Safiya A. Hill  
Trustees of the Stephen C. Hill & Safiya A. Hill  
Revocable Declaration of Trust dated February 14, 2020  
2815 Watson Court  
Montague, CA 96064

Re: Edgewood Homeowners Association

 Spyglass

Dear Mr. and Ms. Hill:

We represent Edgewood Homeowners Association.

Unfortunately, it appears that your son, Shane Hill, has a website with the Association's name, i.e., EdgewoodHOA.org, and also email addresses with the Association's name, i.e., community@edgewoodhoa.org and shanehill@edgewoodhoa.org. Please see the enclosed several pages of the website and a flyer that your son distributed throughout the community. The website and email addresses therefore purport and represent to be on behalf of the Association.

Since 1973, the name "Edgewood Homeowners Association" has been on file with the California Secretary of State as the Association's official and corporate name. Consequently, your son having the website and email addresses with the Association's name constitutes infringement of the Association's legal rights.

Also, your son appears to be misrepresenting himself in the website as an Association member/owner. For example, the enclosed webpage's "Background on the Recall Effort" page states:

...

We have candidates, really good candidates, who have the right motivation and want to generously volunteer their time, effort, and talents to improve our community. We also have a community full of residents ready to volunteer, myself included, to help them transition to their new role and make the change as seamless as possible.

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Therefore, your son appears to be attempting to deceive website visitors – actual Association members/owners - into joining him in his crusade against the Association.

Please feel free, however, to provide us with a copy of your trust if you would like to show that your son is a trustee of the trust, and therefore has a present ownership interest in your Edgewood home, rather than being a beneficiary of the trust, with only a potential ownership interest.

Consistently, your son having the website and email addresses with the Association's name is in violation of the Association's CC&Rs at Article VIII, Section 5:

Prohibition of Noxious Activities. No noxious or offensive activities shall be carried on or conducted upon any Lot nor shall any things be done on any Lot that shall be or become an unreasonable annoyance or nuisance to the neighborhood. Without limiting any of the foregoing, no Owner shall permit noise, including, but not limited to, the barking of dogs, the operation of air conditioners, stereo amplifier systems, television systems, motor vehicles and power tools, to emanate from an Owner's Lot, or the Common Area, which would unreasonably disturb other Member's enjoyment of his Lot or the Common Area. Excessive noise levels may be determined according to the County of Sacramento's Municipal Code or other applicable governmental regulation dealing with such matters.

**Consequently, we hereby request that you please have your son change the website and emails names to names that are not confusingly similar and so that they cannot reasonably be confused as being on behalf of the Association within twenty-one days of the date of this letter.**

If you fail to timely comply, then the Association will have no choice but to hold a hearing in order to determine whether to impose the following discipline on your Edgewood home and you.

1. Impose fines. (CC&Rs, Article XII, Section 6)
2. Suspension of the right to use the common area recreational facilities. (CC&Rs, Article III, Section 9)
3. Imposition of a Special Individual Assessment for the attorney's fees that the Association incurs in its attempts to compel compliance. (CC&Rs, Article IV, Section 4)
4. Reservation of the right to institute the steps to file a lawsuit against you, including, but not limited to for violation of the CC&Rs, unauthorized use of the Association's name, and misrepresentation. State law provides that if the Association prevails in the lawsuit, then the court shall award the Association its attorney's fees incurred. (CC&Rs, Article XII, Section 3; Civil Code Section 5975) Further, if the Association prevails in the lawsuit and obtains a judgment,

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then we will file the judgment against you and your real estate in all counties where you own real estate.

Please understand that the Association considers this an extremely serious matter, and has directed this firm to take all legal steps to protect the Association's interests.

In any event, the Association thanks you in advance for your anticipated timely consideration and compliance.

Very truly yours,  
GRIME LAW LLP

A handwritten signature in black ink, appearing to read 'B/ JH' or similar, written over the printed name.

Bradley J. Epstein

cc: Board of Directors



**Edgewood**

# [www.edgewoodhoa.org](http://www.edgewoodhoa.org)

**The Edgewood community has a new website!**

Someday soon, we envision **[www.edgewoodhoa.org](http://www.edgewoodhoa.org)** to be a proper community website. Visitors will be presented with a beautiful homepage with lovely photographs of the property, and dialogue extolling the virtues of this fine and comfortable place to live, all while providing convenient online services to association members.

**Today is not that day.**

This website is an effort to create a communications conduit within the community.

While talking with our neighbors, I repeatedly felt a sense of isolation from many in the community. People are frustrated and unhappy with how they are treated by this HOA, while feeling alone and powerless to do anything about it. They didn't realize so many others in the community feel the same way they do.

**[www.edgewoodhoa.org](http://www.edgewoodhoa.org)** serves primarily as a discussion forum. Click 'Forum' from the main menu or any 'Forum Login' button.

Everyone may talk about anything in the discussion forums: Get to know your neighbors, find common interests, and most importantly, let's discuss the community and effect real change, as a community.

This board has taken highly visible measures as of late to exclude important members of the community. We want to include everyone who calls Edgewood home. Everyone deserves a voice.

**[shanehill@edgewoodhoa.org](mailto:shanehill@edgewoodhoa.org)**

## [www.edgewoodhoa.org](http://www.edgewoodhoa.org)



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June 27, 2024 Shane Hill

To Access the Forum, click [here](#) or any Forum or Login menu item.

**Edgewood**

# www.edgewoodhoa.org

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**shanehill@edgewoodhoa.org**

**www.edgewoodhoa.org**

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Edgewood Call To Action →

## Leave a Reply

Your email address will not be published. Required fields are marked \*

Comment \*

^

Name \*

Email \*

Website

☐ Save my name, email, and website in this browser for the next time I comment.

**Post Comment**

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July 5, 2024 Shane Hill

## Background on the Recall Effort

I have quite a history with the Edgewood property. I believe my grandmother purchased her townhome in 1975. My earliest community memories go back to the early 80s, maybe even 1980. My family visited and lived here sporadically until I moved in more permanently in 1995, after my grandmother's passing.

I moved away in 2007 when Apple, my employer of 20 years, moved my department to Austin, TX. I had been in Texas for 13 years, and I was always excited and eager to return to California, back to Citrus Heights, and back to Edgewood.

Upon seeing the deterioration of the property after my 13 year absence, I was disappointed. I saw 13 years of deterioration all at once. However, I had, after all, just moved back and had to get situated, and didn't give the property much more thought for a while.

Although I've heard the unfortunate stories of many Edgewood homeowners' less-than-satisfactory experiences with this HOA board (to say the least), I have an experience or two to share myself. These experiences were the catalyst for my getting involved in the community's HOA affairs, as they caused me to discuss the current situation at Edgewood with my neighbors, alerting me to the widespread and serious problems that impact this community.

My issues with the board/HOA are the radio frequency interference they are/were causing me in and around the clubhouse and RV parking facility. However, the board's sheer reluctance and apathy in doing anything to help with serious problems really caused the alarms to go off.



I have had a couple of issues with Russ or others plugging in electrically "dirty" equipment--equipment that really isn't appropriate for a residential community and zoning. In both instances, even as I pleaded with Russ about the harm the interference was (and still is to a degree) causing us, he was reluctant to provide any genuine assistance.

Both Russ and Pat put far more effort into avoiding me and the problem than it would have taken to mitigate or resolve the issues.

The problems the interference was causing me and other people in and around the Edgewood community were so severe that we couldn't reliably make and receive phone calls and text messages. I recall a conversation with my wife:

"My wife and I discussed today many of the times we've had problems making and receiving phone calls in our home. We are very disturbed knowing that if we had to call for emergency services, we may not have been able to. At this moment, we may still not be able to. That's a big problem."

I have included some examples of email correspondence I exchanged with Russ. Emails to Pat were never returned. If you read through them, you'll see the painful effort it took to move forward on any action against the problem.

In order to get any movement from Russ or Pat, threats needed to be made, gradually escalating, in the form of FCC complaints, enforcement action, and the involvement of local law enforcement.

I was somewhat flabbergasted, to say the least. I really didn't know what I was experiencing, and to be honest, I was not even sure if I was the actual problem.

I then started to try to get to know my neighbors. In my early conversations with them, I brought up some of my recent experiences with dealing with the board. I was really just trying to understand "what the heck is going on?!"

Well, just mentioning the "board" or "HOA" caused the floodgates to open. This was when I started hearing the stories of members needing services to address problems, including issues of safety, that were going unresolved. Stories of apparent harassment in the form of issuing violations, sometimes resulting in thousands of dollars of fines, over issues that weren't violations. Then, you learn that some of the actions of the board involve a vindictive component.

In addition, will learn about the very questionable financial decisions made by the board.

The stories come from community members of all walks of life and from all four corners of the property. I realized that the problem was widespread when I only heard serious complaints about the board from my area of the community and absolutely no support. When I got out and knocked on doors throughout the community, again, I only heard serious complaints about the board and zero support. That is until I knocked on current and former board members' residences.

I have forgotten some of the terrible stories shared with me by my neighbors, you all, in this community. I hope to remember and document them all for archival here. In the meantime, we need community members to post their stories in the forums and get them documented. I'm hoping the website's forum section provides an adequate tool to do that.

If you'd like to email your story, we can publish it, and you may remain anonymous if you would prefer.

Again, the reasons for our dissatisfaction with the board are many and varied, but they primarily involve:

- **Financial mismanagement.**
- **Harassment of members.**
- **Deterioration of property.**
- **Lack of transparency.**

We have seen no progress or innovation in this community or its management in decades. Nobody can seem to recall exactly how long Pat and some of the other board members have been on the board or in their positions. Nobody is entitled to the volunteer role.

We have candidates, really good candidates, who have the right motivation and want to generously volunteer their time, effort, and talents to improve our community. We also have a community full of residents ready to volunteer, myself included, to help them transition to their new role and make the change as seamless as possible.

I would like to build new systems around new board leadership. We need systems such as real customer relationship management. This is a business application for managing customers efficiently and responsively. We are customers, perhaps internal, but customers nonetheless, and we should be treated as such, respectfully and kindly.

Proper project management. All projects should include a project charter, buy-in from the community, and identified stakeholders. In most cases, everyone in the community will be a project stakeholder and should have access to and updates on the progress. The website will be tied into this under member services.

The website will include a member portal, providing access to services. For example, reserving the clubhouse will be scheduled on the website and instantly processed. You could even receive an access code.

Need a guest parking pass? Schedule it and have it approved instantly. You won't even need to print out a pass.

We have many ideas for bringing the community together and getting everyone talking. We want to open up the clubhouse to many more events. I may even do a tech support night or two a week, maybe even tech classes. Others have suggested doing the same with regards to their interests and skills.

A dog park was suggested to board leadership, and instantly rejected. Many in the community have many interesting ideas that deserve to be explored, but the community is never given the opportunity to discuss them. I've heard these and many other good ideas floated while speaking with community members these last few months. Suggestions like these are never given the time of day when mentioned to board leadership.

We will change all this. The time has come for this community to advance in these changing times. Unfortunately, we are discovering what happens when our leadership and our community do not adapt.

The image gallery below is regarding interference caused by a battery charger. This hardly represents the worst experiences I've had in dealing with Russ and Pat. The camera system RFI is still ongoing as they will not meet with me or otherwise communicate with me about it.





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## Considering buying a townhome in Edgewood?

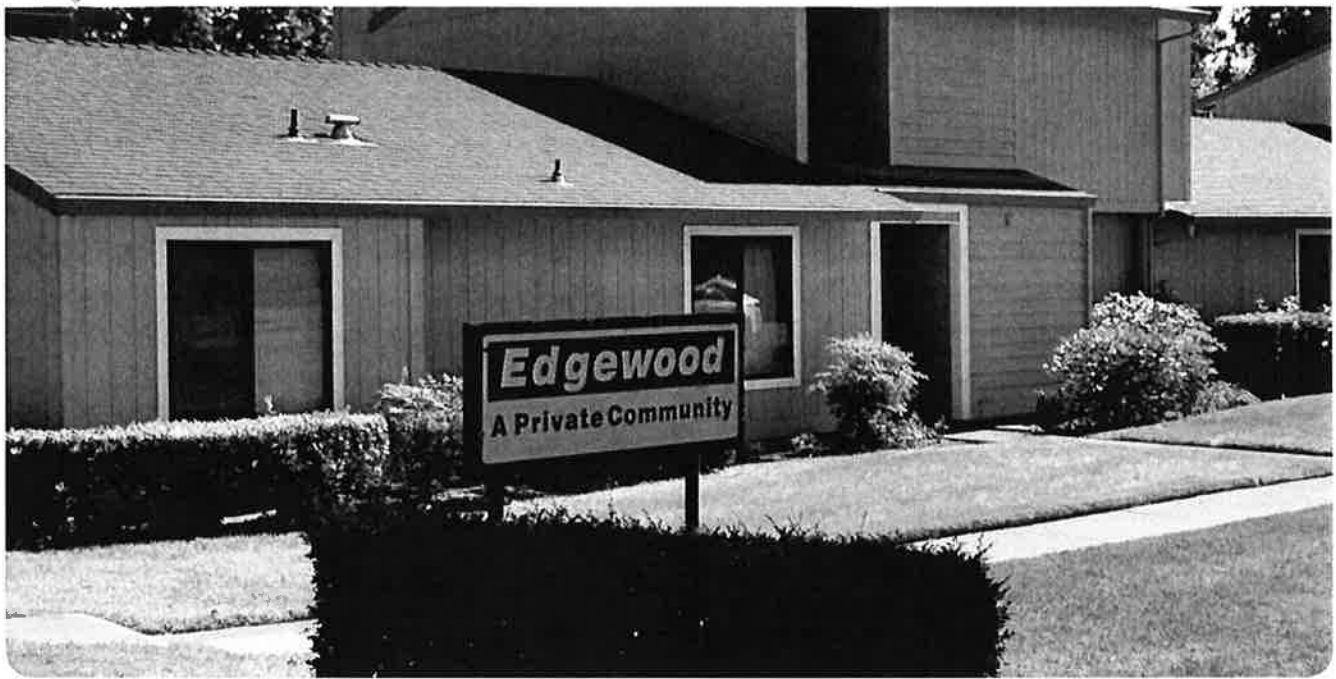
I encourage you to contact me to have an honest and candid conversation about where the community is at currently, and where we hope to go.

There are many exciting opportunities and plenty of potential to make Edgewood a really great place to live for a great community of people.

There are some significant, but not insurmountable, challenges to overcome as well.

shanehill@edgewoodhoa.org  
(279) 252-8072





The Edgewood Community is located at 5700 Spyglass Ln in Citrus Heights, CA – Sacramento County

The Edgewood community is adjacent to Kingswood Dr., Pebble Beach Dr., Doral Ct., and Cypress Point Dr.

Spyglass Ln., Rocky Point Ct., and Seascape Court are located within the Edgewood community.

These are primarily one and two story attached townhomes built in 1974. Sizes range from about 1200  $ft^2$  – 1500  $ft^2$



## When does a trademark affect domain name rights?

In general, domain names are a “first come, first served” commodity. The first person to purchase a given domain name retains the rights to the name until it is sold or the registration term expires. This is generally the case even when the domain name is a trademark. If I happened to register starbucks.com before the coffee company, the coffee company may have to post its website at a different domain name address until my registration expires.

<https://www.dblawyers.com/trademark-use-and-domain-names/>

<https://casetext.com/case/bd-of-dirs-of-sapphire-bay-condos-w-v-simpson>