

Date: February 9, 2025

Trident Miami and Board of Directors

Collins Towers Association

800 West Ave

#C-1

Miami Beach, FL 33139

Subject: Declaration of Invalidity of Recent Special Assessment and Call for the Resignation or Removal of President Ronald Malden

We, the undersigned majority of unit owners of Collins Towers Association, hereby demand that the recent special assessment be invalidated and call for the resignation or removal of President Ronald Malden.

Declaration of Invalidity of the Most Recent Special Assessment

1. **Unreasonable Amount:** The assessment includes charges for items that have already been paid for, installed, or are unnecessary. This violates the principles of reasonableness and fairness required under Florida law.
2. **Improper Budgetary Compliance (§718.111(14), Fla. Stat.):** This statute requires that insurance costs be included in the annual budget, the use of such assessments raises concerns about compliance with budgetary procedures. Additionally, the By-Laws (Article 6, Section b) require insurance costs to be budgeted annually, yet this assessment was imposed without proper budgetary adjustments. Furthermore, over **\$680,000 remains unaccounted for, which is tantamount to missing funds.**
3. **Misuse of Funds and Lack of Transparency:** The explanations provided for the assessment do not align with its stated purposes. A significant portion of the funds has already been expended, and this assessment appears to serve merely as a replenishment—without transparency or proper accounting. This violates the fiduciary duties of the Board under §718.111(1), Fla. Stat., and the By-Laws (Article 4, Section j), which require the Board to act in the best interest of the Association and its members.

4. **Failure to Follow Proper Procedures:** The special assessment is further invalid due to the failure to follow required procedural steps. No meetings were held, and no minutes exist to document discussions regarding the budget or assessments. §718.112(2)(e), Fla. Stat., mandates that all financial decisions, including special assessments, be properly discussed and voted upon in official board meetings with recorded minutes. This lack of transparency and failure to comply with statutory and governing document requirements further invalidate the assessment.

Given these violations, we demand that Trident Miami and the Board of Directors **immediately rescind the recent assessment** and provide a full accounting of all related expenditures.

Call for the Resignation of Ronald Malden as President

Based on the documented lack of transparency, accountability, and adherence to governing documents and Florida law, we formally demand the **resignation of Ronald Malden as President of the Collins Towers Association.**

This letter serves as a **vote of no confidence** in his leadership. His actions demonstrate a pattern of poor governance and disregard for the rights of unit owners, including:

1. **Refusal to Delay Budget Vote:** Despite multiple clear requests from unit owners, President Malden refused to delay the budget vote, undermining the democratic process and disregarding owner concerns.
2. **Failure to Provide Required Documentation:** There has been a repeated and consistent disregard for written requests, along with the failure to provide essential documents—including three years of audits and 2024 Profit & Loss statements—as mandated by §718.111(12), Fla. Stat., and our By-Laws.

We demand to know how the **reserves decreased from \$300,000 when President Malden took office to a shortfall of \$97,000**—despite a 2023

assessment of \$146,359 and revenue from storage units totaling \$200,000. The only approved project during this period was the lobby renovation.

3. **Contradictory Communications:** President Malden has provided multiple unit owners with conflicting, false, or misleading information, leading to confusion and mistrust among the Association's members.
4. **Disregard for Due Process:** President Malden failed to hold a properly noticed meeting to discuss the special assessment, in direct violation of §718.112(2)(e), Fla. Stat.

In the Alternative: Immediate Removal by Board Action Required

Should President Malden refuse to resign, we demand that the existing Board of Directors immediately remove him from the presidency pursuant to By-Laws (Article 5, Section g), which allows for the removal of any Director or Officer from office at any time, with or without cause, by a majority vote of the Board of Directors.

This action is further supported by §718.112(2)(j), Fla. Stat., which outlines the procedures for recalling Board members.

If the Board fails to take action, we will pursue all available legal remedies, including:

1. **Filing formal complaints** with the Miami-Dade Economic Crimes Division, the Department of Business and Professional Regulation, and the Division of Florida Condominiums, Timeshares, and Mobile Homes.
2. **Calling for a special meeting** to remove President Malden.
3. **Seeking injunctive relief** in the courts to ensure compliance with Florida law and the Association's governing documents.

We urge Trident Miami to fulfill its regulatory duty and counsel the Board to act swiftly to restore transparency, accountability, and trust within the Association.

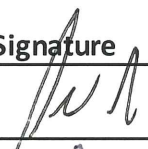

Failure to address these concerns will **not** be tolerated.

Sincerely,

Undersigned Concerned Unit Owners of Collins Towers

Declaration of Invalidity of Recent Special Assessment and Call for Resignation or Removal of President Ronald Malden

By signing this document I affirm that I am authorized in the manner required by the governing documents to cast this vote on behalf of this unit.

Unit Owner (Print)	Unit Number	Signature	Date
ANTHONY GHAEFANI	401		3-FEB-25
OLGA AMAYA	604	Olga Amaya	6-FEB-25
HUGO BASTIDA	410	Hugo Bastida	2-FEB-25
MELANIA TURKIEWICZ	509	Melania Turkiewicz P.P.	6-FEB-25
BRIAN KIEDROWSKI	202	Brian Kiedrowski P.P.	6-FEB-25
OFELIA ASSUERO	205	Ofelia Assuero P.P.	6-FEB-25
CLAUDIA CUSA	206	Claudia Cusa P.P.	6-FEB-25
MARIA SAMUDIO	208	Maria Samudio P.P.	6-FEB-25
PEDRO ^{ELOR} VALENTIN	209	Pedro Valentin P.P.	6-FEB-25
DORCKIS CURA	210	Dorkis Cura P.P.	6-FEB-25
CARMEN CAMPO	301	Carmen Campo P.P.	6-FEB-25
TAMARA SHEVCHENKO	302	Tamara Shevchenko P.P.	6-FEB-25
SONIA KURHEIM	504		6-FEB-25
CARMEN JIMENEZ	309	CARMEN JIMENEZ P.P.	6-FEB-25
ELDISA JIMENEZ	310	CARMEN JIMENEZ P.P.	6-FEB-25
CARLOS VAZQUEZ	404	Carlos Vazquez PP	6-FEB-25
CARLTON GAMBLE	405	Carlton Gamble PP	6-FEB-25
ANDREA VITELLOZZI	409	Andrea Vitellozzi PP	6-FEB-25
HUGO BASTIDA	410	Hugo Bastida PP	6-FEB-25

