Publication copy

Plaintiff's Exhibit Z-2 - ADR Demand to Board

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This copy is the filed or produced document with these changes only: black boxes cover (1) names, addresses, telephone numbers and e-mail addresses of persons who are not parties, (2) personal identifiers and financial account numbers (R. 1:38-7), (3) telephone and e-mail contact details, and (4) plaintiff's personal financial information, marked "Redacted: plaintiff's personal financial information". Withheld pages, if any, are replaced by a notice page. The complete document is available from the Court.

EXHIBIT Z-2

2026-05-20 ADR Demand to Board

Ronald W. Yarbrough and Kathleen A. Yarbrough
11 Lake Centerton Drive
Pittsgrove, NJ 08318
[redacted]

May 20, 2026

Lake Centerton Park Homeowners Association, Inc.
Board of Directors
c/o Clifford G. Wheaton, Secretary/Treasurer
23 Lake Centerton Drive
Pittsgrove, NJ 08318

Re: Written Request for Alternative Dispute Resolution Under N.J.S.A. 45:22A-44

Dear Members of the Board:

This letter is a written request for Alternative Dispute Resolution pursuant to N.J.S.A. 45:22A-44(c), which requires the Association to "provide a fair and efficient procedure for the resolution of disputes between individual unit owners and the association, and between unit owners, which shall be readily available as an alternative to litigation." The Department of Community Affairs confirmed in its April 24, 2012 determination from Edward R. Hannaman, Esq. that the Planned Real Estate Development Full Disclosure Act and its ADR requirement apply to LCPHA, and that determination was communicated to the Association's counsel by telephone.

Please provide a copy of the ADR procedure adopted by LCPHA. If no ADR procedure has been adopted, please state so in writing, and provide the procedure the Association proposes to use in response to this request. Mr. Wheaton, as Secretary/Treasurer, please circulate this letter to all members of the Board promptly.

The two disputes for which we are requesting ADR are as follows.

Dispute 1 — Validity of Approval by Non-Response.

The May 4, 2026 letter from Clifford G. Wheaton, Secretary/Treasurer, proposed that LCPHA collect a $200 special assessment from each homeowner to fund Hingewood Tree Service work on the beaver dam and spillway, and treated approval as given if no homeowner responded by May 11, 2026. The May 14, 2026 letter that followed asserted that "the members of the HOA have decided to move forward" and directed each homeowner to issue a $700 check, treating the silence of homeowners as authorization. Approval by non-response is not a binding vote and does not satisfy the Open Meeting requirement of N.J.S.A. 45:22A-46(a).

The question for ADR is whether any assessment, expenditure, or other binding action of LCPHA may be made effective by silence in lieu of a properly noticed open-meeting vote. The relief we seek is a written determination that approval by non-response is not a valid form of LCPHA binding action; that the May 4, 2026 special assessment is void; that the May 14, 2026 dues assessment letter is withdrawn; and that any amount collected from any homeowner pursuant to those letters shall be refunded.

Dispute 2 — Validity of Open Meetings Held at Homeowner Residences.

LCPHA has held meetings at the private residences of homeowners, including the July 16, 2024 meeting at the residence of Mike and [redacted] Rossi, after Ronald W. Yarbrough had given written notice on July 14, 2024 demanding a neutral public facility. The Department of Community Affairs put LCPHA on notice of its Open Meeting obligations on April 24, 2012.

The question for ADR is whether a meeting held at the private residence of a homeowner can satisfy the Open Meeting requirement of N.J.S.A. 45:22A-46(a) and N.J.A.C. 5:20-1.1 et seq., where another homeowner has objected in writing and demanded a neutral public facility. The relief we seek is a written determination that future Open Meetings of LCPHA shall be held at a neutral public facility, such as the Pittsgrove Senior Center, with 48-hour written advance notice meeting the content requirements of N.J.A.C. 5:20-1.2(b).

These disputes are appropriate for ADR. They allege violation of governing statutory provisions specific to us as individual unit owners, not a discretionary policy disagreement. See Bell Tower Condo. Ass'n v. Haffert, 423 N.J. Super. 507 (App. Div. 2012); [redacted] for a Better Twin Rivers v. Twin Rivers Homeowners' Ass'n, 192 N.J. 344 (2007); Mulligan v. Panther Valley, 337 N.J. Super. 293 (App. Div. 2001).

We request a written response within fourteen (14) days of the date of this letter. If the Association does not respond or refuses ADR, we will file a supplement to our complaint with the Department of Community Affairs, Association Regulation Unit, and pursue such other remedies as may be appropriate.

This letter does not waive any other right, remedy, or defense, and is sent in addition to our separate notice and our separate documents request of even date addressed to Mr. Wheaton.

Sincerely,

/s/ Ronald W. Yarbrough
Ronald W. Yarbrough

/s/ Kathleen A. Yarbrough
Kathleen A. Yarbrough

Enclosures:
1. April 24, 2012 Letter from Edward R. Hannaman, Esq., NJ DCA
2. May 4, 2026 Letter from C. Wheaton, LCPHA
3. May 14, 2026 Dues Assessment Letter from C. Wheaton, LCPHA
4. May 20, 2026 Notice Letter to C. Wheaton (of even date)
5. May 20, 2026 Documents Request to C. Wheaton (of even date)