



2024

1 message

skybox <skyoptic6@gmail.com>

Mon, Jan 1, 2024 at 1:20 PM

To: michaelhuarte@gmail.com, "Highlandviewinfo@gmail.com" <Highlandviewinfo@gmail.com>

Mr. Huarte

This is a courtesy reminder that Highland View is still not in compliance with the laws ORS 90.582 and ORS 90.315 regarding the water billing, and probably several other laws. After informing you on December 5th of my intent to reclaim my expenses for all of the money I paid in 2022 and 2023 if you continue to violate the law, I'm sure you're aware I received yet another bill and that brings the sum total to \$1,058.44 - I will pay this last monthly bill with my rent, as usual, but I am also hereby demanding that you remit to me the sum total of the last two years by the end of this week and put an end to this illegal billing or I will be filing again in Small Claims Court next week. I will consider today, January 1st to be the date of violation for this particular case, though our correspondence regarding the billing (and more) has gone on for as long as I've lived here. You have literally had years to remedy this situation, not just the last month, and you have done nothing but lie to keep the money rolling. Assuming a settlement agreement is not reached this week, I will be asking the court to award me \$2,116.88 since the law states double the amount may be awarded or one month's rent, whichever is greater - it doesn't make sense to ask for 24 months of rent retrospectively, but I will be happy to ask for a complete refund times two, and plus fees of \$75 would bring the amount to \$2,191.88 - if you then decide to be cooperative with the court. If I am awarded this amount, and if you choose to not be cooperative with the court like last time, I will add an additional \$1,000 for my time and trouble collecting, as stated in my letter dated December 5th. This would bring the total you owe me to \$3,191.88 which would allow me to place a lien on Highland View so I can ensure collection.

You were not at all cooperative when it came to paying me the small amount I was awarded last time, even misspelling my name and getting my address wrong, even after police had to get involved to contact the judge and threaten you with contempt of court. Denial, you may find, is a terrible defense because it suffers from the law of diminishing returns. I don't feel the slightest bit bad about what this might cost on your bottom line if this is how you do business, especially considering you're liable for the theft of more than \$50,000 a year by violating these two laws alone. If the court denies my case for reasons of due process, because my claim extends past my citing any specific laws, I will refile for the 3 months following the last case and rest assured that you were properly informed. Ignorance of the law is no excuse, anyway. The total of those 3 months rent would exceed the amount I'm demanding now if the same lack of cooperation persists, all the same. Moreover, with this lawsuit I am asking the judge to order you to cease and desist the water billing, if not face further fines or jail time for failure to comply. Ignoring the problems with the water won't fix anything. Ignoring me won't make me go away, either. I WILL pursue justice.

Furthermore, unless you have complied with the law in 2024 - read this part carefully - if I receive a water bill in January, I will pay it with the following month's rent and file yet another Small Claims case for the reimbursement of one month's rent. That is, in February you will get another email stating that you owe me \$542 and unless an agreeable settlement is offered, I will file a week later for \$617 to cover fees... and if I receive a bill in February, I will pay it with my rent in March and send you yet another letter, filing a week later. If this persists all year, I will have paid about the same for water as I did last year which was almost exactly \$600 - and you will have reimbursed me \$7,704 in rent and fees, notwithstanding any additional fees. Depending on how the current case goes, if you're able to get my name and address right, I reserve the right to add an additional amount for my time and trouble collecting and I will add \$158 for every month I file in 2024 if you fail to report to the judge. This should make things easy for your books as you may pay me exactly \$9,600 in reimbursements to keep \$600 fraudulently. And I shouldn't have to tell you, that is not good business. OR, you may choose to treat me and the law with respect. That IS good business.

You may want to reread the last paragraph. With this letter, I am asking you to remit the sum total of the amount I've paid you for water and stop sending fake bills - or, prove that Highland View has not added more than 10% to individual charges by posting the water bills from the City of Corvallis for all to see and provide us with a link where the current facility water bill and any future bills may be found. Your reinterpretation of the law and refusal to report to the court is far from respectful, and I still believe you and management are knowingly committing an act of fraud. Presuming nothing changes, and unless ALL of my requests are honored, you can look for a certified letter next week. I'm sure you're aware there are still many unanswered questions and other unresolved issues, too. You really should not need to be reminded about the maintenance on your property any more than you should have to be told what the address is. And honest communication in regards to the law is imperative. Things will be different this coming year. May you find honesty is the best policy and taking care of things sooner

is cheaper than not taking care of them at all. I, myself, will be closing out a lot of neglected projects this year and achieving some goals I've set - and I will succeed, even against the adversities your property manager has created in my life, with or without your cooperation. For the sake of court proceedings and the possibility of retaining an attorney, I will post this letter and the one from December 5th along with any others on my site just like last time. You can expect things to be updated by next weekend, as I'm in the process of making some changes on my server. I am genuinely looking forward to having a lot of fun this year, however things happen legally. And whatever the choices of other people, I genuinely wish you a Happy New Year.

Indigo Michaud

2655 NW Highland Dr. #58
Corvallis, Or 97330

skysurfer.media