



STATE OF INDIANA
OFFICE OF THE INDIANA ATTORNEY GENERAL

CONSUMER PROTECTION DIVISION

302 W. WASHINGTON STREET, 5TH FLOOR • INDIANAPOLIS, IN 46204-2770

www.IndianaConsumer.com

PHONE: 317.232.6330

FAX: 317.233.4393

GREG ZOELLER
INDIANA ATTORNEY GENERAL

April 14, 2010

Harbours Condominium Association
One Riverpointe Plaza
Jeffersonville, IN 47130

RE: File No. 10-CP-54001
In the Matter of Paul Ranney vs. Harbours Condominium Association

Dear Harbours Condominium Association:

Enclosed is a copy of a Consumer Complaint received by the Professional Licensing & Homeowner Protection Unit. Indiana law requires the Unit to investigate complaints against licensed professionals, deceptive acts in connection with mortgage lending, and violations of Indiana's Home Loan Practices Act. You are required to respond in writing to the allegations set forth in the Consumer Complaint within twenty (20) days of the date on this letter. Your response cannot be taken via telephone.

Please include the following information in your response:

1. The file number shown above;
2. My name, Sally L Miller;
3. Your explanation of what happened;
4. A copy of all documents relating to the transaction at issue.

Our experience shows that many complaints result from misunderstanding and poor communication. Your prompt reply is required for our investigation and the resolution of this complaint. You may mail it to the address shown above or fax it to my attention at **(317) 233-4393**.

Sincerely,

A handwritten signature in cursive script that reads "Sally L Miller".

Sally L Miller
Investigator
sally.miller@atg.in.gov

Enclosures(s)

10. HAVE YOU COMPLAINED TO THE BUSINESS? (Check box when applicable) Yes No

When? _____ Action taken? _____

11. WITH WHAT OTHER AGENCY HAVE YOU FILED THIS COMPLAINT?

When? _____ Action taken? _____

12. HAVE YOU CONTACTED A PRIVATE ATTORNEY? Yes No

13. HAVE YOU STARTED A COURT ACTION? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

14. HAVE YOU BEEN SUED OVER THIS ISSUE? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

15. DOLLAR AMOUNT ASSOCIATED WITH YOUR LOSS, IF ANY. \$ _____

16. PLEASE DESCRIBE YOUR COMPLAINT IN DETAIL (ATTACH ADDITIONAL PAGES IF NECESSARY)

Please attach a copy of all papers involved (order blank, warranty, credit card receipt and statement, invoice, contract or written agreement, advertisement, cancelled check, correspondence and all other related documents). Please print clearly or type. DO NOT INCLUDE YOUR SOCIAL SECURITY NUMBER.

See additional attachments.

Claudia Orsborn, a member of The Harbours Homeowners Association Board of Directors, approved the action to issue direct payment of approximately \$4,000 from the Association's mutual benefit funds to reimburse fellow board member Kenneth Quiggins and employee Terry Kiesler for alleged acts of vandalism to their vehicles. A letter (attached) was sent to Association members by the President Kevin Zipperle stating the reason for reimbursing these people for their damages. Ms. Orsborn did not perform her fiduciary duty as a member of the Board of Directors when she approved the action to reimburse these persons from our Association's funds for the repair of their privately owned vehicles. Based on lack of evidence and the arguments presented by owner Mr. Peter Steen. It is evident that Ms. Orsborn was not using prudent and reasonable judgement when she approved this expenditure. A copy of the police report that was submitted by Kenneth Quiggins is riddled with discrepancies, including the inclusion of a false name of the person that Quiggins suspects performed the alleged vandalism on his vehicle. There is no clear cut evidence that any vandalism occurred at The Harbours on these vehicles. Ms. Orsborn should not have approved the action to reimburse these parties for their expenses.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?

Ms. Orsborn should bear the responsibility of her actions and reimburse the Association the money that she approved and allocated to Kenneth Quiggins, a fellow board member and Terry Kiesler, an Employee for the alleged and unsubstantiated claims of vandalism to their vehicles.

18. CONSENT AND VERIFICATION

I affirm, under the penalties for perjury, that the foregoing representations, and those in all attachments, are true. The information I have provided in this complaint form is based upon my personal knowledge. I consent to the Consumer Protection Division obtaining or releasing any information in furtherance of the disposition of this complaint. I understand that I should not include my Social Security Number in any information submitted to the Consumer Protection Division. If I do provide my Social Security Number, I expressly consent to the disclosure of my Social Security Number in accordance with Indiana Code § 4-1-10-5(2).

Your Signature: _____ Date: 3-16-10

WHAT WILL HAPPEN NOW? WHAT ELSE SHOULD YOU DO?

The Consumer Protection Division will send a copy of your complaint to the respondent firm or licensed professional. This office cannot disclose your complaint against a licensed professional to the public unless this office files a disciplinary action against the licensed professional. This office represents the State of Indiana and is limited in the remedies it can pursue. You may be entitled to compensation or other rights that we cannot pursue for you. In addition to filing this complaint, you may want to consider contacting a private attorney or your local small claims court.

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10. HAVE YOU COMPLAINED TO THE BUSINESS? (Check box when applicable) Yes No

When: _____ Action taken? _____

11. WITH WHAT OTHER AGENCY HAVE YOU FILED THIS COMPLAINT?

When: _____ Action taken? _____

12. HAVE YOU CONTACTED A PRIVATE ATTORNEY? Yes No

13. HAVE YOU STARTED A COURT ACTION? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

14. HAVE YOU BEEN SUED OVER THIS ISSUE? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

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See additional attachments.

William Roberts, a member of The Harbours Homeowners Association Board of Directors, approved the action to issue direct payment of approximately \$4,000 from the Association's mutual benefit funds to reimburse fellow board member Kenneth Quiggins and employee Terry Kiesler for alleged acts of vandalism to their vehicles. A letter (attached) was sent to Association members by the President Kevin Zipperle stating the reason for reimbursing these people for their damages. Mr. Roberts did not perform his fiduciary duty as a member of the Board of Directors when he approved the action to reimburse these persons from our Association's funds for the repair of their privately owned vehicles. Based on lack of evidence and the arguments presented by owner Mr. Peter Steen. It is evident that Mr. Roberts was not using prudent and reasonable judgement when ~~she~~ approved this expenditure. A copy of the police report that was submitted by Kenneth Quiggins is riddled with discrepancies, including the inclusion of a false name of the person that Quiggins suspects performed the alleged vandalism on his vehicle. There is no clear cut evidence that any vandalism occurred at The Harbours on these vehicles. Mr. Roberts should not have approved the action to reimburse these parties for their expenses.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?

Mr. Roberts should bear the responsibility of ^{his} actions and reimburse the Association the money that ^{HE} approved and allocated to Kenneth Quiggins, a fellow board member and Terry Kiesler, an Employee for the alleged and unsubstantiated claims of vandalism to their vehicles.

18. CONSENT AND VERIFICATION

I attest under the penalties for perjury, that the foregoing representations, and those in all attachments, are true. The information I have provided in this complaint form is based upon my personal knowledge. I consent to the Consumer Protection Division obtaining or releasing any information in furtherance of the disposition of this complaint. I understand that I should not include my Social Security Number in any information submitted to the Consumer Protection Division. If I do provide my Social Security Number, I expressly consent to the disclosure of my Social Security Number in accordance with Indiana Code § 4-1-10-5(2).

Your signature: _____ Date: 3-10-10

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10. HAVE YOU COMPLAINED TO THE BUSINESS? (Check box when applicable) Yes No

When: _____ Action taken? _____

11. WITH WHAT OTHER AGENCY HAVE YOU FILED THIS COMPLAINT?

When: _____ Action taken? _____

12. HAVE YOU CONTACTED A PRIVATE ATTORNEY? Yes No

13. HAVE YOU STARTED A COURT ACTION? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

14. HAVE YOU BEEN SUED OVER THIS ISSUE? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

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See additional attachments.


Sharon Chandler, a member of The Harbours Homeowners Association Board of Directors, approved the action to issue direct payment of approximately \$4,000 from the Association's mutual benefit funds to reimburse fellow board member Kenneth Quiggins and employee Terry Kiesler for alleged acts of vandalism to their vehicles. A letter (attached) was sent to Association members by the President Kevin Zipperle stating the reason for reimbursing these people for their damages. Sharon Chandler did not perform her fiduciary duty as a member of the Board of Directors when she approved the action to reimburse these persons from our Association's funds for the repair of their privately owned vehicles. Based on lack of evidence and the arguments presented by owner Mr. Peter Steen. It is evident that Ms. Chandler was not using prudent and reasonable judgement when she approved this expenditure. A copy of the police report that was submitted by Kenneth Quiggins is riddled with discrepancies, including the inclusion of a false name of the person that Quiggins suspects performed the alleged vandalism on his vehicle. There is no clear cut evidence that any vandalism occurred at The Harbours on these vehicles. Ms. Chandler should not have approved the action to reimburse these parties for their expenses.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?

Sharon Chandler should bear the responsibility of her actions and reimburse the Association the money that she approved and allocated to Kenneth Quiggins, a fellow board member and Terry Kiesler, an Employee for the alleged and unsubstantiated claims of vandalism to their vehicles.

18. CONSENT AND VERIFICATION

I affirm under the penalties for perjury, that the foregoing representations, and those in all attachments, are true. The information I have provided in this complaint form is based upon my personal knowledge. I consent to the Consumer Protection Division obtaining or releasing any information in furtherance of the disposition of this complaint. I understand that I should not include my Social Security Number in any information submitted to the Consumer Protection Division. If I do provide my Social Security Number, I expressly consent to the disclosure of my Social Security Number in accordance with Indiana Code § 4-1-10-5(2).

Your signature:  Date: 3-16-10

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10. HAVE YOU COMPLAINED TO THE BUSINESS? (Check box when applicable) Yes No

When: _____ Action taken? _____

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When: _____ Action taken? _____

12. HAVE YOU CONTACTED A PRIVATE ATTORNEY? Yes No

13. HAVE YOU STARTED A COURT ACTION? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

14. HAVE YOU BEEN SUED OVER THIS ISSUE? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

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See additional attachments.

Robyn Zapp, a member of The Harbours Homeowners Association Board of Directors, approved the action to issue direct payment of approximately \$4,000 from the Association's mutual benefit funds to reimburse fellow board member Kenneth Quiggins and employee Terry Kiesler for alleged acts of vandalism to their vehicles. A letter (attached) was sent to Association members by the President Kevin Zipperle stating the reason for reimbursing these people for their damages. Ms. Zapp did not perform her fiduciary duty as a member of the Board of Directors when she approved the action to reimburse these persons from our Association's funds for the repair of their privately owned vehicles. Based on lack of evidence and the arguments presented by owner Mr. Peter Steen. It is evident that Ms. Zapp was not using prudent and reasonable judgement when she approved this expenditure. A copy of the police report that was submitted by Kenneth Quiggins is riddled with discrepancies, including the inclusion of a false name of the person that Quiggins suspects performed the alleged vandalism on his vehicle. There is no clear cut evidence that any vandalism occurred at The Harbours on these vehicles. Ms. Zapp would not have approved the action to reimburse these parties for their expenses.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?

Robyn Zapp should bear the responsibility of her actions and reimburse the Association the money that she approved and allocated to Kenneth Quiggins, a fellow board member and Terry Kiesler, an Employee for the alleged and unsubstantiated claims of vandalism to their vehicles.

18. CONSENT AND VERIFICATION

I affirm under the penalties for perjury, that the foregoing representations, and those in all attachments, are true. The information I have provided in this complaint form is based upon my personal knowledge. I consent to the Consumer Protection Division obtaining or releasing any information in furtherance of the disposition of this complaint. I understand that I should not include my Social Security Number in any information submitted to the Consumer Protection Division. If I do provide my Social Security Number, I expressly consent to the disclosure of my Social Security Number in accordance with Indiana Code § 4-1-10-5(2).

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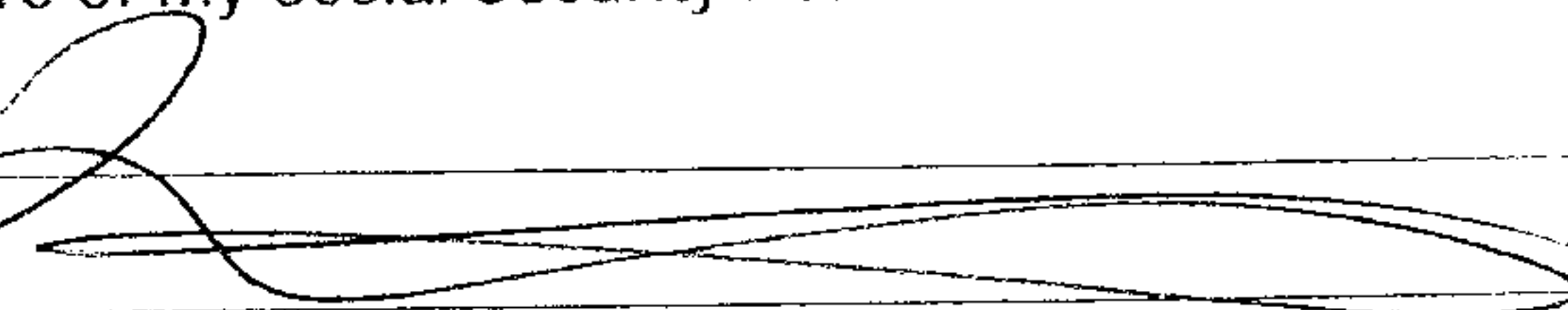
Ms. Lamkin, a member of The Harbours Homeowners Association Board of Directors, approved the action to issue direct payment of approximately \$4,000 from the Association's mutual benefit funds to reimburse fellow board member Kenneth Quiggins and employee Terry Kiesler for alleged acts of vandalism to their vehicles. A letter (attached) was sent to Association members by the President Kevin Zipperle stating the reason for reimbursing these people for their damages. Ms. Lamkin did not perform her fiduciary duty as a member of the Board of Directors when she approved the action to reimburse these persons from our Association's funds for the repair of their privately owned vehicles. Based on lack of evidence and the arguments presented by owner Mr. Peter Steen. It is evident that Ms. Lamkin was not using prudent and reasonable judgement when she approved this expenditure. A copy of the police report that was submitted by Kenneth Quiggins is riddled with discrepancies, including the inclusion of a false name of the person that Quiggins suspects performed the alleged vandalism on his vehicle. There is no clear cut evidence that any vandalism occurred at The Harbours on these vehicles. Ms. Lamkin would not have approved the action to reimburse these parties for their expenses.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?

Ms. Lamkin should bear the responsibility of her actions and reimburse the Association the money that she approved and allocated to Kenneth Quiggins, a fellow board member and Terry Kiesler, an Employee for the alleged and unsubstantiated claims of vandalism to their vehicles.

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 With _____ Action taken? _____

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 With _____ Action taken? _____

12. HAVE YOU CONTACTED A PRIVATE ATTORNEY? Yes No

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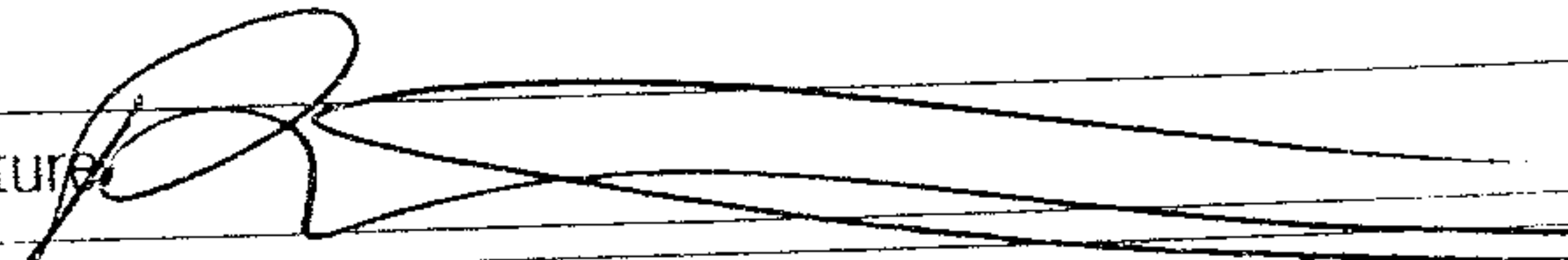
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See additional attachments.
 Mr. Farnsley, a member of The Harbours Homeowners Association Board of Directors, approved the action to issue direct payment of approximately \$4,000 from the Association's mutual benefit funds to reimburse fellow board member Kenneth Quiggins and employee Terry Kiesler for alleged acts of vandalism to their vehicles. A letter (attached) was sent to Association members by the President Kevin Zipperle stating the reason for reimbursing these people for their damages. Mr. Farnsley did not perform his fiduciary duty as a member of the Board of Directors when he approved the action to reimburse these persons from our Association's funds for the repair of their privately owned vehicles. Based on lack of evidence and the arguments presented by owner Mr. Peter Steen. It is evident that Mr. Farnsley was not using prudent and reasonable judgement when he approved this expenditure. A copy of the police report that was submitted by Kenneth Quiggins is riddled with discrepancies, including the inclusion of a false name of the person that Quiggins suspects performed the alleged vandalism on his vehicle. There is no clear cut evidence that any vandalism occurred at The Harbours on these vehicles. Mr. Farnsley would not have approved the action to reimburse these parties for their expenses.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?
 Mr. Farnsley should bear the responsibility of her actions and reimburse the Association the money that she approved and allocated to Kenneth Quiggins, a fellow board member and Terry Kiesler, an Employee for the alleged and unsubstantiated claims of vandalism to their vehicles.

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