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October 8, 2024

All Owners Within
Windrush Bay Condominium Association, Inc.

Re: Hurricane Helene Recovery Plan and Hurricane Milton Preparation

Dear Owners:

This firm has the pleasure of representing your Association with respect to the resolution of its upcoming Hurricane Helene flood claim and reconstruction efforts. First, let me express my deepest sympathies for the catastrophic loss your community has just experienced. I can only imagine what the affected unit owners are feeling right now, but I want to assure you that your Board of Directors has hired qualified professionals to immediately start assisting your community with its recovery. As your Association attorney for this matter, I will be actively involved in the process described below, along with an outstanding team of professionals. The Association has engaged the services of an expert public adjusting firm, Strategic Claim Consultants, which has helped communities like yours through similar losses after major storms throughout Florida. They will be preparing your flood claim and working with FEMA adjusters to ensure that this community receives the funds necessary to rebuild your homes. Their team will be onsite this week to start carefully documenting all of the items within your units that are covered by the Association's flood policy, which are described below. The Association has also retained a highly regarded local general contractor, J Bolt Construction, to perform the remediation and reconstruction of the affected units and common elements. Together, this team will help restore this community to its pre-storm condition.

For all of the first-floor units that sustained significant flood water intrusion, the Association is now charged with managing the remediation and reconstruction of those units and the common elements. Fortunately, flood damage is covered by FEMA through its National Flood Insurance Program, which offers up to \$250,000 per residential unit to cover remediation and reconstruction costs. This coverage includes drywall, flooring, cabinets, countertops, appliances and fixtures. **It is imperative that the Association manage this process to ensure that we retain our ability to file a comprehensive and accurate claim. As such, unit owners are instructed not to affect the portions of the unit that our policy covers. This will be true, and the below process will apply, for any additional units that are similarly affected by Hurricane Milton.**

The remediation and restoration process essentially consists of three phases:

- 1) Remediation – the Association’s contractor will remove all of the flood affected materials for which the Association is responsible and sanitize the unit. As a reminder, flood water contains just about every type of water imaginable, including that containing potentially hazardous bacteria. The units will be thoroughly inspected by an industrial hygienist, and properly remediated and made ready for reconstruction. **During this phase, owners will be responsible for removing their personal contents such as furniture that they intend to salvage or dispose of.** Because of the severity of your loss, it will likely be necessary for all of your personal items to be removed from the unit in order for the contractor to complete the remediation. **Unit owners currently are permitted to remove their furniture and personal items, and the Association’s contractor will remove the rest, including drywall, flooring, cabinets and appliances.** If you have already removed more than just your furniture and personal belongings, please take multiple pictures of the items you removed such as flooring, cabinets and appliances, including their model and serial number. This information can be provided to Strategic Claim Consultants to be included in the claim for your unit.
- 2) White Box – the White Box portion brings the unit back to functional and habitable condition, reinstalling drywall, utilities, windows, sliders, doors, AC equipment and more. This constitutes the common elements of the Association and additional components that are covered by the Association’s flood insurance policy. It is critical that this work be done by a licensed and insured professional because the Association essentially inherits the workmanship done by the contractor, which is why this process must be completed by the Association’s vetted contractor and the work inspected prior to completion and close out of permits.
- 3) Finish – the finish work consists of the reinstallation of items such as flooring, cabinets, countertops, paint, appliances, bathroom fixtures, trim and accessories, all of which is covered by the Association’s flood insurance. Importantly, owners will have the option at this stage to either continue using the Association’s retained contractor or hire their own contractor at this phase. If owners elect to use their own contractor, the Association will cut them a check in the amount approved by FEMA for their specific unit, less professional fees. All units are not valued alike. The value assigned to each individual unit is determined by the pre-loss condition and contents, which is why it is so critical that the Association’s contractor or public adjuster be involved from day one to inventory each unit and advocate to obtain the most of money possible from FEMA to assist the owner with their finish work.

As you can see, this is a labor intensive and detail-oriented process that must be handled by trained and experienced professionals. **Unit owners MUST cooperate in this process and allow the Association to perform its legally required work**, both to protect the Association’s interests and those of the individual owners. Failure to adhere to this protocol can compromise the Association’s claim, increase costs, decrease recovery and lead to unnecessary legal action by or against unit owners. **Do not hire your own contractor to do any work at this time, the Association will fully manage the remediation and restoration project through the “white box.”**

IMPORTANT - You must provide access to the unit throughout this process in order for the Association to complete its work, and upon the determination of the general contractor, you may be required to remove personal items and furniture as well and, if necessary, vacate the unit. If access is not provided and personal items and furniture not timely removed, the Association will exercise its statutory powers pursuant to Florida Statute Sections 718.111(5)

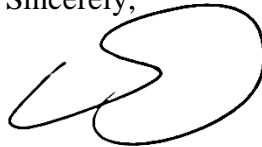
and 718.1265 to access your unit and remove your contents at your cost in order to begin remediation. Please begin removing your personal items and furniture now if you have not already done so. For any additional owners who are affected by flood water intrusion from Hurricane Milton, please be sure that you contact the Association immediately after the storm to provide access to your unit, and only begin removing your furniture and personal contents.

Additional communication will be forthcoming from Strategic and the general contractor with more information on the next steps of this process. For now, please stay safe and do not remove anything from your unit other than your affected furniture and personal items. **Please also note that it is extremely likely that you will not be permitted to reside in the unit while remediation and white box reconstruction is ongoing, a process that is likely to take 6-12 months to complete. All affected residents are encouraged to immediately begin securing storage and alternative living arrangements.** Your unit and community is going to be a construction site for many months, and your homes may not be fit for habitation. We know this places a heavy burden on many of you, but it is unavoidable. Your patience is greatly appreciated, and regular updates will be forthcoming.

For the entire community, please be advised that your Board of Directors, on advice of legal counsel, has issued a mandatory evacuation order for the entire community pursuant to its emergency powers contained in 718.1265(1)(h). Please heed this warning, as Hurricane Milton may cause life-threatening damage and/or render the property unsafe for habitation, ingress or egress.

Please contact the Association's property manager, Ellyse Vosselmann, evosselmann@ameritechmail.com, or (727) 726-8000x306 to provide your most up-to-date contact information, including an email address for real-time communication, and to ensure that the Association has a key to your unit. Thank you in advance for your anticipated cooperation, and please put safety first.

Sincerely,

A handwritten signature in black ink, appearing to be 'D.J. Greenberg', written in a cursive style.

Daniel J. Greenberg, Esq.