

## The Pelican Brief Part Two: Crestone Edition

Since there are neither copyrights on title nor at *scène à faire* doctrine the title nor the story violates John Grisham’s copyrights in “The Pelican Brief” © 1992 Doubleday. The homage is because life is imitating fiction, a series of documents will imitate the protagonist Darby Shaw creation of this Brief.

If you are not familiar with the Grisham’s plot, a college student was able to follow news event and create circumstantial evidence of who wished to kill two supreme court justices; likewise, this Brief will narrate the corruption and conspiracy of individuals over the decades, in the chapters below:

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**Chapter 1 — Becoming a Handicap due to Court Order**

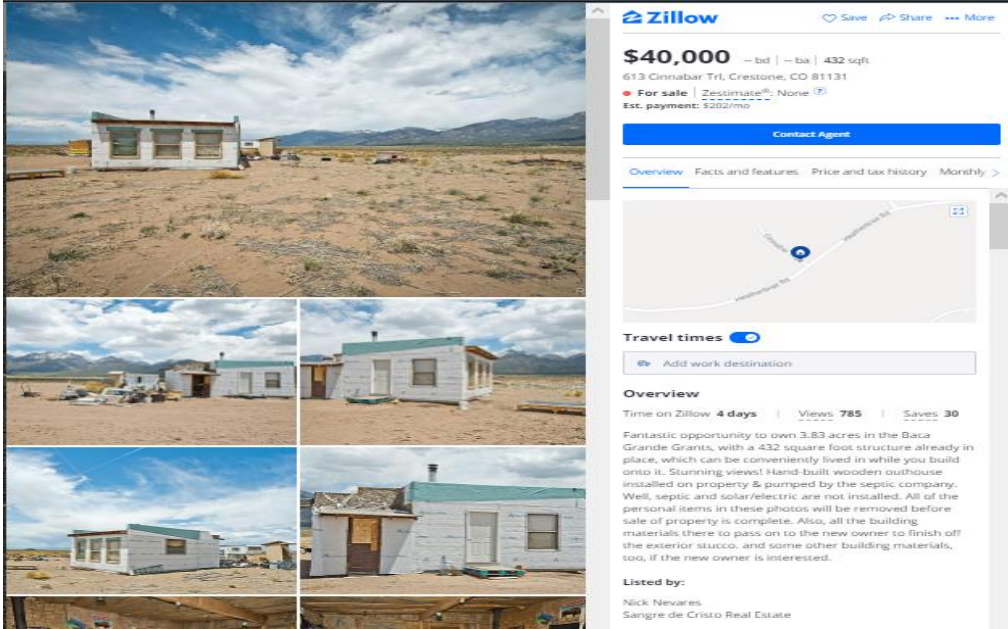
The Federal Plaintiff and State Defendant Bayardo Sandy was mandated to erect his home through Winter, in accordance to 11/07/2019 Judgement on Case 2018C30078; thus, to build his home; in which he fell and lost his left shoulder on 02/20/2020.

Although suffering agonizing pain, Mr. Sandy did not have health insurance and only discovered that he had shattered his left shoulder in multiple parts on 03/15/2020.

Mr. Sandy mustered the power to finish his home with one arm in 2020; and his operations were cancelled twice thanks to the 2020 Pandemic of Covid-19. Meanwhile in 2020, he had a few visits from Mr. Jonathan Lilo who was living in the house of Jonathan Jarvis. Who asked Mr. Sandy for legal help; perhaps Mr. Lilo was another person with mental problems and stood up Mr. Sandy twice.

**Chapter 2 – The Arson of 1190 Beaver Road**

Mr. Sandy pointed out in his motions to County Court and Federal Court of the special treatment that Anglo-Saxon Caucasians enjoyed in the Baca Grande Association. Not only to Mr. Jeffrey Winsett who to this day has an unfinished home at 432 square feet according to MLS and Zillow.com; which is a violation of Restated Covenants’ Section 10.5 (at 900 square feet minimum).



Mr. Winsett's property is located approximately at the same distance as Mr. Sandy's property is from former Baca Grande President Stephen Dossenback.

However, Mr. Winsett's property was not as much of an eye sore as Mr. Jarvis' property.

Mr. Jonathan Jarvis purchased an unfinished home which constituted an eye sore even from satellite view from space. The next google photos show an unfinished home since 2005.



1190 Beaver Road on 06/16/2005 unfinished via Google photos.



1190 Beaver Road on 08/01/2007 unfinished via Google photos.



1190 Beaver Road on 10/22/2011 unfinished via Google photos.



1190 Beaver Road on 11/17/2013 unfinished via Google photos.



1190 Beaver Road on 09/08/2016 unfinished via Google photos

From the road, the view of the home was not any better.



Photo Credit to Member John Hefty who posted Jarvis' home on Facebook site approximately on 07/19/2019.

Meanwhile, Mr. Sandy informed the Association and the Courts of the double standard of suing him and not suing Mr. Jarvis. Then Baca Association sued an U.S. Veteran with Post Traumatic Stress Disorder living with his mother to finish a home that has not been finished since 2005 according to Google photos. It is important to take notice that Mr. Sandy did not want Mr. Jarvis to be treated like him, but he wanted to have the same advantages that the previous owner of Mr. Jarvis home did because it appears that the Jarvis family purchased his home in 2018.

Another point to take notice is that according to the commonly known grandfather clause in Colorado's Laws, or C.R.S. 38-33.3-123(2); the Association had ONE YEAR to start a lawsuit for Mr. Jarvis' unfinished home, in which the right to start a civil action against Mr. Jarvis would have been about 2007 or about 11 years before Mr. Jarvis purchased his home on 1190 Beaver Road.

C.R.S. 38-33.3-123(2) reads:

*(2) Notwithstanding any law to the contrary, no action shall be commenced or maintained to enforce the terms of any building restriction contained in the provisions of the declaration, bylaws, articles, or rules and regulations or to compel the removal of any building or improvement because of the violation of the terms of any such building restriction unless the action is commenced within one year from the date from which the person commencing the action knew or in the exercise of reasonable diligence should have known of the violation for which the action is sought to be brought or maintained.*

Notwithstanding, the Association to quash the dissatisfaction of Mr. Jarvis' neighbors and to also show Mr. Sandy that they had they been not being discriminatory by going after a war veteran with post-traumatic stress disorder living with his mother in New Jersey.

However, just suing Member Jonathan Jarvis was not fast enough, Circa July 2020; the Association sent a letter to the Saguache County Commissioners; a letter never

provided by County nor the Association to Mr. Sandy alluded to the commissioners to exempt the Association to pay the fees after burning Mr. Jarvis' home down.

On 08/12/2020; the current Association Board Member Claudia Wolfe; then not a member of the Board, only representing the neighbors with the metaphoric torch surrounding Member Jarvis' property; hackled the Commissioners with a "giddy up will ya!?" See Minutes Calendar 8/12.

8/7 – Attended via zoom the CCI committee meeting to review proposed legislation put forth by Counties for the 2021 session.

8/11 – Attended the Commissioners work session topics included meeting with the Baca POA concerning problem property. Also interviewed for the County code enforcement officer. Made a field inspection of property in the Baca Grande.

8/12 – Spoke with Claudia Wolfe representing the Neighbors surrounding the Beaver Trail property inquiring as to if the county had decided if they would give assistance, and in what form.

Was notified by the USFS that the Saguache/Upper Rio Grande RAC was accepting proposals for the title 2 funds for 2020. The RAC is scheduled to review proposals at a September 15th meeting.

Source Saguache County Commissioner Minutes of 08/18/2020

On 08/18/2020 The Saguache County Commissioners' Minutes on page 3 shows how the Commissioners conspired with the Association to burn the property of Member Jonathan Jarvis.

Baca Grande Property Owners Association – 1190 Beaver Trail

Commissioner Lovato stated that after the sight visit, he felt it can be done with smaller equipment and the POA should have more skin in the game. The building should be burned then there will be less debris that is taken to the landfill.

Commissioner Ken Anderson stated that the Board can waive the fees for the land use. The POA has the equipment to get it done and haul it out.

Page 3 of 12

Source Saguache County Commissioner Minutes of 08/18/2020

Please take notice that Saguache Commissioners are not known for its scholastic accomplishments; so, the Commissioners do not know the difference of a sight visit and a site visit; therefore, the words meant were site visit.

Please also take notice Commissioner Lovato also commented that regarding the yet to occur and alleged arson of Member Jarvis property, that the Association must: "have more skin in the game." Please take notice that Commissioner Lovato did not speak of a Court Order Burning nor a Permit for a State Demolition by fire, Commissioner Lovato called it a "game."

Although there are several unfinished and abandoned buildings in Saguache County the most famous are the White Eagle hotel and the Elk Lodge Market, both flanking the Baca Grande Association Headquarters' East and West on T-Road, the 08/18/2020 audio shows that the Commissioners did an impromptu kabuki theater and Commissioner Lovato even slamming the table to show his skin in the game with the alleged premeditated arson. For audio (minute 1:49 mins) <https://youtu.be/33srbjpT19s>

[Tim Lovato] But this has been an ongoing problem for how many years? And yet [slap on the table] all of the sudden it has to come to where we need to take care of it as a problem. It should have been done a longtime ago.

[Jason-A.] Well, the Court's been slow, Commissioner.

[Tim Lovato] Well, it is the first time they took it to the floor.

[Ken-A.] We didn't have the clearance to do it, so...

[Tim Lovato] Yeap.

[Ken-A.] The POA did. To tear it down, so....."

[Tim Lovato] Correct.



Former Commissioner and Association Member Jason Anderson volunteered on 08/18/2020 “Well, the Court’s been slow, Commissioner.”

Commissioner Ken Anderson also voiced the Association and the Saguache Commissioner complicity in taking Mr. Jarvis’ property down with the words “To tear it down.”

Mr. Sandy alleges in this Pelican Brief Part II, that it was an alleged arson because the appeal was still pending in the Colorado Court of Appeals and neither the County nor the Association filed for a burning Permit with the Department of Public Health & Environment which is required by law.

Saguache Administrator Wendi Maez refused to produce the letter to Mr. Sandy and after a few emails referred Mr. Sandy to the County lawyer who also gave Mr. Sandy the run around. Currently, Mr. Sandy is suing Saguache County as well.

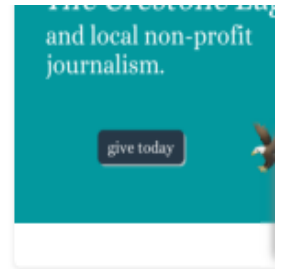
On 09/09/2020 healing from a broken shattered shoulder Mr. Sandy watched the smoke going up on 1190 Beaver Road, while resident Jonathan Lilo was visiting his friends in Salida-CO.

September of 2020 only had one snowy day, and it was 09/09/2020; the day that Member Jarvis’ property went up in smokes.

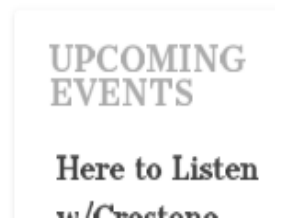
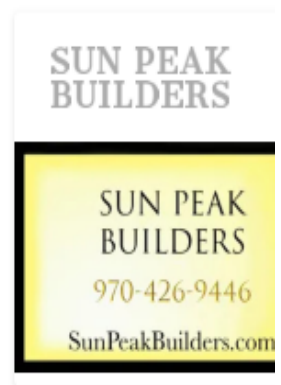
The rumors started that the house burned down for being a meth lab and even the Crestone Eagle wrongfully reported that the house was abandoned.

# House destroyed in fire in the Baca Grants near Crestone

by Chrissy Lakish



At 1:25pm on Wednesday, September 9 the Baca Grande Fire Department was paged out to an abandoned house on fire in the Grants in the area of Homestead Rd. and Beaver Trail. Both the Baca Grande and Crestone fire departments responded to the call, and Saguache Fire Department sent a second water tender truck and personnel to support suppression efforts. The house had collapsed on itself by the time firefighters arrived; however, with the combined efforts of the Baca Grande, Crestone and Saguache fire departments, the blaze was contained. The site remains dangerous. The remains of the structure are unstable and they surround a large, deep hole in the ground that had been an intentional part of original construction of the house.



Ms. Lakish was either wrong or willfully lying to the community because the house was neither abandoned nor a meth lab, further the resident Jonathan Lilo was defending a lawsuit with Colorado Court of Appeals on the day that the house was burning down.

Colorado Court of Appeals 2 East 14th Avenue Denver, CO 80203	DATE FILED: January 14, 2021 4:33 PM
District Court Saguache County 2020CV30002	
<b>Plaintiff-Appellee:</b>  Bacca Grand Property Owners Association,  v.	Court of Appeals Case Number: 2020CA1254
<b>Defendant-Appellant:</b>  Jonathan J Lillo.	
MANDATE	

This proceeding was presented to this Court on appeal from District Court Saguache County.

Resident Lilo's Appeal with the Colorado Court of Appeals was finally closed on 01/14/2021; but his home had already been torched on 09/09/2020 with a premeditated letter from the Association circa July of 2020, a hackled by Board Member Claudia Wolfe on 08/12/2020 and by an approval for a fee waiver, or not to not charge the Association any cost for hauling debris after Member Jarvis' property was burned down.

According to the Police Incident Report #SASA200858 published on 03/26/2021; luck would have that Member Wonderbob left the comforts of his home which happens to be on Camino Baca Grande next door to the Fire Department to work on his lot on the only snowy day of September of 2020 about 5 miles away next to Member Jarvis'

property. Mr. Wonderbob also volunteered that he was around the property before the fire.

During the investigation I talked to "Wonderbob" who lives in the Crestone area and owns some property near where John Lillo was staying (1190 Beaver). Wonderbob told me that on the morning of September 09, 2020 he drove by 1190 Beaver sometime around 1030, and reported seeing no issues. Wonderbob told me that he was

3/4

working outside and about 15 minutes after he drove by 1190 Beaver, he noticed the fire. Wonderbob told me that he did not see anyone around or vehicles at 1190 Beaver.

The Police Report does not mention that Member Wonderbob was also there during the fire. Luck will have that Mr. Wonderbob filmed and narrated the fire in the video that he took on 09/09/2020 and uploaded to facebook.

<https://youtu.be/PdL9RFwdHoc>

### Chapter 3 – (Side-bar) Baca Grande’s History of Corruption

When there is integrity there is no need for propaganda, actions speak for themselves. Years of unaudited balanced sheets, maintaining a history of corruption since its inception. No wonder the actors holding the banner also think it is a joke.



This side-bar a little bit of the corruption since its inception, Baca Grande Association was founded on deceit and lies. Mr. Sandy was privileged to have had the friendship of late Robert Charles Garnett Sr.; a Vietnam Navy Veteran and former President of the Baca Grande Association. For old-timers of the Baca Grande, it was only during President Garnett's tenure that the dues were rolled back 70% from the previous administration.

If not oldest, one of the oldest houses of Baca Grande belonged to Member Garnett on the south-west corner of Camino Real and Wagon Wheel, the house was built before the Association was formed.

Member Garnett spoke of a history of corruption since inception and the lots were mostly sold to the Armed Forces members. Before the age of computers and computer graphic editing, Member Garnett spoke of dirt roads being spread with motor oil to give an illusion of being paved with asphalt once a picture was taken from an airplane.

Even as president, Member Garnett spoke that a few times he wished to dismantle the Association, but he was outvoted by the majority.

The Association's Board constantly mishandled the votes and faked quorum, and soon destroyed the votes. A practice that then Board Member Garnett in 2011 filed a Permanent Injunction for the voting not the Board to manage votes unsupervised by the Court or by impartial parties. Garnett et. al. v. BGPOA Board of Directors, Saguache District Case 2011cv42.

1	Robert C. Garnett, Sr.		Robert Banaszek
	1575 Wagon Wheel Rd., P.O. Box 263		P.O. Box 1254
2	Crestone, Colorado 81131		Crestone, Colorado 81131
	Telephone: 719-256-5275		Telephone: 719-256-5024
3	In propria persona		In propria persona
4			
	DISTRICT COURT OF THE STATE OF COLORADO		
5	SAGUACHE COUNTY, COLORADO		
	501 Christy, P.O. Box 197		
6	Saguache, Colorado 81149		
7	Robert C. Garnett, Sr.,	)	Case No.: CV 1142
		)	
8	Robert Banaszek,	)	
		)	
9	Petitioners,	)	<b>PETITION FOR PERMANENT INJUNCTION</b>
		)	
10	vs.	)	
		)	
11	Baca Grande POA Board of Directors,	)	
		)	
12	and Hammersmith Management,	)	
		)	
13	Respondents.		
14	<hr/>		
15	We are Robert C. Garnett, Sr., and Robert Banaszek the petitioners in the		
16	matter now before this Honorable Court. We are both laymen in the matters of		

The 2011 Petition was not enough; the Membership filed another lawsuit against the voting irregularities in 2013.

Although not named as a plaintiff Member Garnett was part of a group who sued the Association and won because of a rigged election; Saguache District Court Case 2013CV7.

DISTRICT COURT, SAGUACHE COUNTY, COLORADO P.O. Box 197 Saguache, Colorado 81149	DATE FILED: March 12, 2014 10:43 AM FILING ID: F4BF1F09BD8A1 CASE NUMBER: 2013CV7
<b>Plaintiffs:</b> JANIE THOMAS et al.  v.  <b>Defendants:</b> RUSSELL SCHREIBER et al.	
	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> <hr/> Case No. 2013 CV 7  Division: 2
<b>STIPULATED AGREEMENT AND MOTION FOR          DECLARATORY RELIEF</b>	

Pursuant to C.R.S. § 13-51-101 *et seq.* and C.R.C.P. 57, Plaintiffs Janie Thomas, Bruce McDonald, Nigel Fuller, and Diane Dunlap (“Plaintiffs”), Individual Defendants Russell Schreiber, Matie Belle Lakish, Treat Suomi, William Folk (“Individual Defendants”), and Defendant Baca Grande Property Owners’ Association (“Association”), hereby submit this Stipulated Agreement and Motion for Declaratory Relief (“Stipulation”).

The “compromise” found in the 2013-lawsuit was not enough to stop the history of corruption; and Member Garnett was part of a demand for a Forensic Audit in 2014.

The Auditor had to charge an extra 22 hours for the constant delays in providing proper documentation. The last two pages of the 2014 forensic audit describes a box of snakes. They last two pages of the 2014 audit are the next two pages.

**Opinions and recommendations based on documentation received, conversations, and experience.**

Internal controls are not dependable and have been circumvented by key board members, contractors, their community managers, and employees.

Collusion and corruption has permeated the organization.

This fraud risk assessment documents the fact that fraud risk is incredibly high. The most cost effective and most certain is to start from scratch with new people. This is beyond the scope and expertise of the current employees of the BGPOA.

Employees need to be evaluated and bonded if in the best interest of the BGPOA. A reporting system for anonymous tips needs to be established along with surprise audits.

The BGPOA's insurance policy needs to be evaluated to see which costs may be mitigated by its insurance coverage.

The Board of Directors must regain control of this organization. Board Member Mattie Belle Lakish needs to be removed from the board pending a complete investigation not only financial reasons but also her votes contrary to the conflicts of interest. Her close knit relationship to ex fire chief Ben Barack should be evaluated. The remaining Board of Directors must to be united in their action for the best of the corporation and its welfare or they could be held personally liable. The BGPOA could loose its tax exempt status.

An analysis needs to happen concerning all Bank accounts and CDs—the CD at Coligent Peaks in Salida, Colorado only requires one signature to remove it from the bank—all CDs need to be checked out. Old checks need to be secured and evaluated to see if they can be documented and destroyed. Analysis needs to be accomplished to account for all checks utilized like those manipulated by Russell Scribner not only at Aventa Credit Union but all others. The check copies surreptitiously ordered by Kristin Ecklund--Hammersmith's on site community manager—need to be accounted for, reconciled, and secured.

A key to limiting risk at the BGPOA is to immediately enact and enforce a zero tolerance for illegal drugs and monthly testing of all BGPOA employees and volunteers. The BGPOA needs to move itself away from the drug culture that is so prevalent in and around the Crestone Colorado area. The liability is extremely high especially for the ambulance service and fire department.

BGPOA must start its own in house management and accounting systems under a capable accountant is imperative. Nelson Fleming has done quite a bit of planning for the BGPOA.

If Hammersmith ended their contract with the BGPOA, it is best for the BGPOA. Hammersmith or Kristin Ecklund did not seem to be worried about the BGPOA and its diminishing viability, but only about increasing its billing and collections. The contract between Hammersmith and the BGPOA appears to be too lopsided and only good for Hammersmith. A judge could find it unconscionable and unenforceable. The on site community manager—Kristin Ecklund-- seemed



to pick the very worst position for the BGPOA anytime she could. The BGPOA suffered lawsuits, fines, and penalties that seemed to be maximized by Kristin Ecklund. She did not exhibit behaviors or abilities I could describe as a well trained manager. It appeared that Kristin Ecklund created confusion and strife whenever possible therefore increasing Hammersmith's revenue from the BGPOA. One would wonder if she personally profited from the increased billing amounts. Far too many check printings occurred after she arrived at the BGPOA—increasing not only the cover for possible theft by deception, but also, the opportunity for actual theft by deception.

Hammersmith's on site community manager—Kristin Ecklund-- apparently played a pivotal role in purchasing \$109,075.00 in unneeded gravel from someone she is reportedly in a personal relationship with, which appears unconscionable on its face and would be a breach of her fiduciary duty not only to Hammersmith but also to the BGPOA. It would be reasonable for the BGPOA to end its contract with Hammersmith. And investigate how much culpability Hammersmith and their on site community manager--Kristin Ecklund—may have possibly incurred.

Of course, the BGPOA needs to have their counsel review and approve all plans of action discussed in this report.

**Do not copy or reveal any information in this report. The persons involved could destroy or hide evidence.**

Additional investigations would center on the following persons of interest: Russell Scribner, Mattie Belle Lakish, Treet Suomi, Ben Barak, Kristin Ecklund, Pam Gripp and others to evaluate and analyze if they are individually are culpable. Also of interest is Hammersmith's role in these matters.

Kristin Ecklund did not perform only her and Hammersmith's contractual duties –she also interfered with others duties at the BGPOA. This is a red flag for information and/or actions being manipulated for her personal end. Kristin Ecklund also obtained copies of the Aventa Credit Union checks contrary to her instructions.

Kristin Ecklund also delayed and tried to circumvent this audit—wanted to control and direct it and wasted about 22 hours of this auditor's time.

Signed \_\_\_\_\_  
Dennis Crown  
Certified Fraud Examiner

Dated \_\_\_\_\_

The forensic auditor had very somber words for Board Member Matie Belle Lakish, yet thanks to the Membership's apathy she became president of the association; soon after the forensic auditor denounced her. The Minutes show a history of conflict of interest in which President Lakish lobbied for her son to be a trained paramedic and the Association to finance his training; however, it is alluded that he did more partying with the Association's funds and was summarily fired by the Association soon after began his job. Years later the same individual was arrested for being intoxicated while driving and carrying an unlicensed fire-arm; while his older brother sued for defrauding investors.

Since then the corruption has not stopped, the Membership keeps paying for costs that are not accounted for via new forensic audits. Since the tenure of former president Dossenback the span of November/2016 through January 2022; the Association mostly "bribes" a CPA to look away from their actual papers. This letter is important for the Association to be able to purchase liability insurance even when the Board keeps embezzling the Membership and never has had a forensic audit which it has shared the findings with the Membership.

Why is the Certified Public Accountant (Griffin Group CPA) has been accepting bribes to issue certified audits?

**Disclaimer of Opinion on Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that a Schedule of Future Major Repairs and Replacements be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Financial Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Griffin Group, CPA*

Denver, Colorado  
April 18, 2018

Bribed Letter to pretend that it was audited in 2017 signed by no human, but a corporation

**Disclaimer of Opinion on Required Supplementary Information**

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*Griffin Group, CPA*

Denver, Colorado  
September 26, 2019

Bribed Letter to pretend that it was audited in 2018 signed by no human, but a corporation

**Disclaimer of Opinion on Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that a Schedule of Future Major Repairs and Replacements be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Financial Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Griffin Group, CPA*

Denver, Colorado  
September 1, 2020

Bribed Letter to pretend that it was audited in 2019 signed by no human, but a corporation

**Disclaimer of Opinion on Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that a Schedule of Future Major Repairs and Replacements be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Financial Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Griffin Group, CPA*

Denver, Colorado  
August 16, 2021

Bribed Letter to pretend that it was audited in 2020 signed by no human, but a corporation

**Disclaimer of Opinion on Required Supplementary Information**

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*Griffin Group, CPA*

Denver, Colorado  
June 21, 2022

Bribed Letter to pretend that it was audited in 2021 signed by no human, but a corporation.

Once again; why is this annual letter, a purchased license to keep robbing the Membership? Because none of the letters *provide any assurance* of honesty.

Every year the bribed letter of audit concludes with this disclaimer line is:

*"We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient*

*evidence to express an opinion or provide any assurance.”*

Consequently, is a corruption built on the corruption which continues thanks to the apathy of the membership:

- 1) The apathy of the Membership does not attend the meetings, just pay the dues.
- 2) The Board and employees continue the misconduct and corruption.
- 3) The Association found a CPA corrupt enough to sell a letter of pretension that an audit was done.
- 4) The CPA writes a disclaimer in fine print that does not provide any assurances to the truthfulness or honesty of the balance sheet.
- 5) The insurance company sees the letter and understands the disclaimer's fine-print and raises the insurance price.
- 6) The corruption continues on for another year.

The Membership's apathy makes the Association's history of corruption possible. *“People's indifference is the best breeding ground for corruption to grow”* — Delia Ferreira, chair of Transparency International.


What helps the corruption of the Board is the hiring of the characters with a criminal sheet like Ms. Ayla D. Hoevers and Ms. Connie Estrada.

**SAGUACHE COUNTY  
SHERIFF'S OFFICE**

530 5TH STREET  
SAGUACHE, CO 81149

**Arrest & Booking  
Detail Page**

Print Date **06/12/2019** Booking Officer **9368** Booking # **SA19072**

	Date	Day	Time	Incident #	Other #	
	<b>05/11/2019</b>	<b>Saturday</b>	<b>11:35</b>	<b>19-038</b>		
	<b>SUBJECT INFORMATION</b>					
	Name <b>ESTRADA, CONNIE</b>				DOB <b>08/06/1972</b>	Age <b>46</b>
	Address <b>SAGUACHE CO</b>			Apt	Phone <b>719 -</b>	DL #
	SSN		Local #	State #	FBI #	
	Sex <b>F</b>	Race <b>W</b>	Height <b>5-02</b>	Weight <b>125</b>	Hair <b>BLN</b>	Eyes <b>BLU</b>
	Place of Birth <b>CO</b>				Marital Status <b>S</b>	
	Scars, Marks, Tattoos					DNA Collected Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	<b>OCCUPATION / EMPLOYER INFORMATION</b>					
Occupation Employer			Address <b>SAGUACHE CO 81149-</b>			
<b>EMERGENCY CONTACT INFORMATION</b>						
Name		Address		Phone		
<b>VEHICLE INFORMATION</b>						
Veh License <b>CO</b>	VIN		Year	Make		
Comment			Model	Style	Color	
Dispo: Left at scene <input type="checkbox"/> Towed & Stored <input type="checkbox"/> Impounded <input type="checkbox"/> Other <input type="checkbox"/> Where						
<b>ARREST LOCATION / AGENCY &amp; CUSTODY INFORMATION</b>						
Arrest Location <b>SAGUACHE CO 81149-</b>			Escape Risk <b>N</b>	Suicidal <b>N</b>	Violent <b>N</b>	
X Street			Prot Cust <b>N</b>	Cell #		
Beat			Bkg Date <b>05/11/2019</b>	Time <b>11:35</b>		
Sector	District :	Arrest Officer <b>9368</b>	Agency <b>SCSO</b>	Transport Ofcr	Agency	
Affidavit :			Date	Time		
Released <b>05/11/2019 11:35:00</b>	Officer <b>9368</b>	Juv. <b>N</b>	Parents Notified: <b>N</b>	School Notified: <b>N</b>	Hours Held: <b>0</b>	
Reason <b>6 - Court Ordered Prints</b>			Court Date			
Comment						

Charge Type	Level	Violation	Count	Warrant	Court	Bail Amount	Dispo
On View	Misd.	42-4-1301(1)(a) - Driving under the influence of drugs or	1			\$0.00	
On View	Misd.	42-4-1301(1)(b) - Drove veh while ability impaired by				\$0.00	
On View	Misd.	42-4-1301(2)(a) - Drove veh with excessive alcohol content				\$0.00	
On View	Misd.	42-4-603 - Disregard Traffic Control Device				\$0.00	
<b>Total Bail Amount :</b>						<b>\$0.00</b>	

Printed By/On: 6490 / 06/12/2019 15:13:33  
CrimeStar® Law Enforcement Records Management System  
Licensed to: SAGUACHE COUNTY CO SHERIFFS OFFICE



**SAGUACHE COUNTY  
SHERIFF'S OFFICE**

530 5TH STREET  
SAGUACHE, CO 81149

**Arrest & Booking  
Detail Page**

Print Date **04/17/2018** Booking Officer **7055** Booking # **SA18078**

<b>Area Reserved for Photo</b>	Date	Day	Time	Incident #	Other #	
	04/17/2018	Tuesday	11:42	17-112		
	<b>SUBJECT INFORMATION</b>					
	Name <b>HOEVERS, AYL A DANIELLE</b>				DOB <b>08/18/1987</b>	Age <b>30</b>
	Address <b>182 LA PAZ LN</b>			Apt	Phone	
	<b>MOFFAT CO 81143-</b>			DL #	<b>CO</b>	
	SSN	Local #	State #	FBI #		
			<b>CO01606962</b>	<b>336467CD9</b>		
	Sex <b>F</b>	Race <b>B</b>	Height <b>5-03</b>	Weight <b>130</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>
	Scars, Marks, Tattoos				Place of Birth <b>CO</b>	Marital Status
DNA Collected Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
<b>OCCUPATION/EMPLOYER INFORMATION</b>						
Occupation			Address			
Employer			<b>CO 81149-</b>			
<b>EMERGENCY CONTACT INFORMATION</b>						
Name			Address			
			Phone			
<b>VEHICLE INFORMATION</b>						
Veh License	<b>CO</b>	VIN	Year	Make		
Comment		Model	Style	Color		
Dispo: Left at scene <input type="checkbox"/> Towed & Stored <input type="checkbox"/> Impounded <input type="checkbox"/> Other <input type="checkbox"/> Where						
<b>ARREST LOCATION/AGENCY &amp; CUSTODY INFORMATION</b>						
Arrest Location <b>CO 81149-</b>			Escape Risk <b>N</b>	Suicidal <b>N</b>	Violent <b>N</b>	
X Street			Prot Cust <b>N</b>	Cell #		
Beat	Sector	District	Bkg Date <b>04/17/2018</b>	Time <b>12:00</b>		
			Transport Ofcr	Agency		
Affidavit:			Date	Time		
Released	<b>04/17/2018 13:00:00</b>	Officer <b>5446</b>	Juv. <b>N</b>	Parents Notified: <b>N</b>	School Notified: <b>N</b>	
Reason	<b>1 - Cash Bond</b>		Court Date <b>05/16/2018 08:00:00</b>	Hours Held:	<b>0</b>	
Comment						

Charge Type	Level	Violation	Count	Warrant	Court	Bail Amount	Dispo
Warrant	Misd.	16-2-110 - Failure to appear	1	4793592		\$300.00	
<b>Total Bail Amount :</b>						<b>\$300.00</b>	

*Warrant from  
Alamosa County  
2018T43*

Printed By/On: 7055 / 04/17/2018 13:00:20  
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Besides the fake audits letter from 2017 through 2021; the Center Post Dispatch narrates the cantankerous departure of Manager Ayla Hoevers; the Association mention of unaccounted finances since 2014.



<https://www.centerpostdispatch.com/article/hoevers-resigns-as-manager-of-bgpoa>

Although the Hoevers' booking arrest is dated on 04/17/2018; Center Post-Dispatch also narrated a previous arrest in October 2017; thus, a history of recidivism.

BGPOA fire chief, Tad Crawford, turned in his resignation.  
 There are, reportedly, organizational problems left unresolved within both the BGPOA fire department and the ambulance service.  
 Hoevers' performance has been questioned by BGPOA members since her first arrest in October 2017 as a fugitive of justice. The online law library defines a fugitive of justice as "Any person who has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding. 18 U.S.C... [or] One who, having committed a crime within a jurisdiction, goes into another in order to evade the law and avoid its punishment."  
 In 2017, Hoevers was cited for driving under restraint, while her license had either been suspended or revoked. This is usually an offense for which an arrest is made. In April of 2018, she was arrested again on a warrant out of Alamosa County for failure to appear. The warrant was later dismissed by Judge Anna Ulrich.

The last line of this section speaks of more hidden corruption because (then) Judge Ulrich was a member of the Association and had an unfinished construction which employees Estrada and Hoevers also looked away from bringing into compliance with the Covenants.



Returning to the subject of finances; then the Membership's dues have been in control of individuals with arrest sheets and history of recidivism. Regarding further light on how the Membership's money is not accounted or even embezzled, the Center Post Dispatch also said:

was later dismissed by Judge Anna Ulrich.

At a meeting in February, Hoervers confirmed that as far back as 2016, there were BGPOA funds which remain unaccounted for. Some believe that Hoervers left her position because the board was considering investigating the disappearance of the funds. According to unconfirmed reports, a civil lawsuit may now be pending.

That as far as 2016 funds has not been accounted for; it is axiomatic in science a smart parasite will not kill the host. If indeed Ms. Hoervers embezzled funds from the Association; why was she neither sued or arrested by then honorable Association's Board Members? It is therefore reasonable to conclude that Ms. Hoervers was not the only one misappropriating funds from the Association.

There are several instances of ongoing corruption by the Association, its employees and its board members. For instance, former employee Kristen Ecklund lobbying for the purchase of *unneeded gravel* under a personal relationship with the gravel seller. The words of the Forensic Auditor Dennis Crown.

**Hammersmith's on site community manager—Kristin Ecklund-- apparently played a pivotal role in purchasing \$109,075.00 in unneeded gravel from someone she is reportedly in a personal relationship with, which appears unconscionable on its face and would be a breach of her fiduciary duty not only to Hammersmith but also to the BGPOA. It would be reasonable for the BGPOA to end its contract with Hammersmith. And investigate how much culpability Hammersmith and their on site community manager--Kristin Ecklund—may have possibly incurred.**

Whether Board of Environmental and Architectural Committee where most of the members are general contractors, from late Charles Summers who used his position to procure construction contracts for him and family while Chair of the EAC. Former EAC Member and former President Stephen Dossenback who never sued anyone to whom hired him to contract his electrical work.

Ed Sbarbaro voting for his own permit extensions while in the Board of the EAC, and skipping the natural nominal sequence of extension to pay a lesser fee.

<b>Mr. Sbarbaro skipping of sequence extensions payments and BGPOA defraud tally</b>					
Date of the EAC Minutes	Pseudo Extension	Actual Extension Properly Filed	Paid	Real Value	Defrauded BGPOA
10/21/2015	3 <sup>rd</sup> Ext	3 <sup>rd</sup> Extension	\$20	\$20	0
04/20/2016	4 <sup>th</sup> Ext	4 <sup>th</sup> Extension	\$40	\$40	0
09/21/2016	2 <sup>nd</sup> Ext (Again!)	5 <sup>th</sup> Extension	\$10	\$80	\$70.00
04/2017	Never Applied	6 <sup>th</sup> Extension	0	\$160	\$160.00
09/20/2017	4 <sup>th</sup> Ext (Again!)	7 <sup>th</sup> Extension	\$40	\$320	\$280.00
4/2018	Never Applied	8 <sup>th</sup> Extension	0	\$640	\$640.00
<b>Total of Defraud of member of the BGPOA for skipping sequence =</b>					<b>\$1,150.00</b>

Although the information source for all of this corruption is the very EAC Minutes, it does matter because nobody is going to block the ongoing corruption thanks to the apathy of the Membership.

Furtherance of the apathy; the return of Surplus Funds to the Membership and the reduction of payments and dues is the duty of the Board; instead of returning the surplus

funds, the Board decided to invest the surplus funds and placed them in the 11/21/2019 Agenda. Thus, in violation of Restated Section 5.5.

5. **Financial Report**

10:15 AM-10:25 AM

- A. Financial Statement review
- B. Funds Transfer process review
- C. Account/ Investment Recommendation review

The Restated Covenants Section 5.5 reads:

**Section 5.5 Use of Assessments.** *The fund accumulated as a result of the charges levied by the Association shall be used exclusively for the general purposes of the Association, including promoting the recreation, health, safety and welfare of the Members of the Association, and maintenance and management of the Association Property.*

In no part whatsoever of Section 5.5, it mentions that the funds accumulated could be used for investments; yet met with no opposition to the Board’s decision, it was done.

**B. Funds Transfer process review**

Executive Director, Kevin Flewell spoke about internal and external policies regarding the transfer of year end excess funds.

**C. Account/ Investment Recommendation review**

Executive Director, Kevin Flewell spoke about Association bank account consolidations and investment recommendations. Currently there are seven bank accounts and four investment accounts.

Director Dossenback made a motion to approve the consolidation of bank accounts, seconded by Director Repp, the motion carried unanimously.

Director Dossenback made a motion to approve the investment recommendations from Accountant, Cathy Fromm, seconded by Director Brooks, the motion carried unanimously.

The signed Minutes of 11/21/2019 shows the key word “consolidation” into one investment account. Why is the word “consolidation” important? Because the agent of the company receiving the funds will get a larger paid commission.

Another “Christmas Miracle;” in January of 2020; former president Dossenback was driving a brand-new truck; and here it is parked in his former garage.



Are there coincidences? Where a history of corruption has been established or the probability is more corruption? Investments accounts usually generate a 4% fee; which a kickback could have gone directly from the investment agent to a car dealer-lot without having to show up in anybody’s bank account much less in their income-tax.

Meanwhile, there is no forensic audit for years; everyone who approved the fund transfers to an investment account in violation of the Restated Covenants are no longer in the Association’s Board.

### **A Summary of the Narrated Corruption in this Side-Bar**

- 1) The creation of Baca Grande was to sell a pretend Shangri-La to soldiers.
- 2) In 2011 a Petition for Permanent Injunction on voting irregularities.
- 3) In 2013 the Association was sued for a rigged election.
- 4) In 2014 the Forensic Auditor was very astonished by the ongoing corruption.
- 5) President Lakish had the Association's fund to train her own son.
- 6) For many years Griffin Group CPA provided fake letters of audits according to "disclaimers."
- 7) Association Managers with a history of criminal history and recidivism.
- 8) Center Post-Dispatch alluded to more missing funds.
- 9) The Association does not bother to investigate former employee Hoovers.
- 10) Former Judge Ulrich was also a member of the Association in which majority of the cases she did not recuse herself.
- 11) Former employee Ecklund lobbied for the unnecessary purchase of gravel.
- 12) Most Board and EAC Members have conflict of interest for being also construction contractors.
- 13) Member Sbarbaro skipped on paying the proper fee and even voted for his own extension without recusing himself.
- 14) Surplus Funds were not returned to the Membership.
- 15) All accounts were consolidated before being transferred to an investment portfolio.
- 16) Surplus Funds were transferred in violation of Restated Section 5.5.
- 17) Soon after, former president is driving a brand-new Ford F-150.

These 16 items are a short part of the years of corruption, without getting very deep. However, there are many more not included in this Brief.

#### **Chapter 4 – The Aftermath of the Alleged Arson of Jarvis’ Property**

About a month after returning home from Winter travels circa April of 2021, an Association Member provided the Saguache Commissioner’s Minutes of 08/18/2020 to Mr. Sandy; (thus, circa May of 2021).

It was surreal to read the preemptive intent to burn the house of a Member on 1190 Beaver Road. Flabbergasted, Mr. Sandy commenced investigating and soliciting ad nauseum documentation from Saguache County, from Association’s lawyers, several emails with the Colorado Department of Health and Environment and Bureau of Alcohol, Tobacco, Firearms and Explosives Denver Field Division Office.

The findings were to the level of Cosa-Nostra and here is why: Nowhere in the police report, it mentioned of the Association letter to burn Jarvis’ property nor any mentioned that it was in the Saguache Commissioner’s Calendar, in the Minutes and in the Audio of the Meeting of 08/18/2020; roughly a month before with recorded voices of the intent to burn Jarvis’ property before the house was up in flames on 09/09/2020.

The Police Incident Report does not mention that the parties of interest: 1) the Association who wrote a letter to burn the house, and 2) the individual whose house was burned were in pending litigation in the Colorado Court of Appeals and the case remained open until 01/14/2021.

Another suspicious event to be noticed is the conflicting information on the Police Incident Report #SASA200858; the phone calls and the narration of Undersheriff. While the calls are responsive, the Undersheriff tells another story.

On September 09, 2020 about 1330 hours I Undersheriff Jim McCloskey was dispatched to 1190 Beaver Road, located within the Baca Grande Sub-division, County of Saguache and the State of Colorado for a structure fire.

On arrival I saw a structure known to me to be a two-story house with a basement fully engulfed in fire. No one was on scene. Beaver road did have tire tracks but there was no fresh track leading into the drive way. I did see a fresh set of a gym shoe type prints walking by the drive way but they did not appear to have entered onto the property. I walk a full circle around the structure and did not find any fresh prints entering onto the property.

By Saguache County Assessor records 1190 Beaver is owned by Johnathan Jarvis (parcel #460313400070). It is known to me that a party named John Lillo (567-274-9461) was living in the house. Mr. Lillo's vehicle was not present at the home. I called Lillo's cell phone and his voice mail box is full, I texted Lillo and requested him to call me and he has not responded back. A ping on his phone showed the phone being in the

2/4

While the Baca Grande Fire Department is 4 miles from 1190 Beaver Road, the Saguache Sheriff Office is 33 miles according to Google Maps. Although the Engines respond to the calls. Undersheriff was the first to arrive on the scene and he wrote: "No one was on the scene."

On September 09, 2020, about 1340 hours I Undersheriff McCloskey was dispatched to a structure fire at 1190 Beaver, located in the Baca Grande sub-development, Crestone Colorado, County of Saguache. The structure was totally destroyed other than the foundation. The structure was a 2-story structure with a deep basement, dirt floor.

On page 2 of 4 Undersheriff was dispatched at 1:30PM. But on page 3 of 4 he was dispatched at 1:40PM and he already described the structure totally destroyed and with no one on the scene.

Then it is easy to put the Cosa Nostra together:

- 1) The Association sent a letter to the Commissioner with the intent to burn Jarvis home circa July of 2020.
- 2) The Commissioners entertained then neighbor, now Board Member Claudia Wolfe on 08/12/2020 with a site visit.
- 3) On 08/18/2020 the Commissioners put on a kabuki theater show and approved a waiver so the Association does not have to pay to haul burned debris to the landfill.
- 4) Jarvis' property burned while his resident and tenant Jon Lilo was in Salida, CO.
- 5) Undersheriff is dispatched at 1:40PM to arrive roughly 30 minutes later after leaving from 33 miles away, while the Baca Grande Fire Department is 4 miles away and was not on the scene to stop the fire.
- 6) The Police Incident Report did not mention the letter of intent to burn and much less that the parties were in pending litigation regarding the same property.
- 7) The Colorado Department of Public Health and Environment ("CDPHE") did not receive any request to demolish 1190 Beaver Road either before or six months after the fire.
- 8) The CDPHE Agent Haley Bargabos also informed Mr. Sandy that prior to the demolition an agent has to come and make an asbestos inspection of the site.
- 9) The CDPHE Agent also informed that any structure with a demolition by fire permit needs to be taken apart and only the wooden and textile content may be burned.
- 10) A demolition by fire is not to set the house on fire because there are several contaminants to cause pollution, such as: plastic, insulation, asbestos, and rubber.



11) Another suspicious part of the Incident Report is that normally a report has to be approved by a superior officer and not a subordinate officer such as Corporal Hansen.



**Case Management**

Initial Investigator	Report Status	Approved By	Date Approved	Case Status
MCCLOSKEY, JAMES	Approved	HANSEN, STEVE	03/26/2021 19:34	ADMIN CLOSURE

Another level of the Cosa-Nostra is that the Crestone Eagle wrongfully described the house as abandoned written by Chrissy Lakish who on and off tends to work for the Association.

Another level of the Cosa-Nostra is that the ATF Special Agent Rebecca Sauerhaft informed Mr. Sandy that the ATF has no jurisdiction to investigate any arson, unless the local sheriff requests an investigation.

Mr. Sandy since availability of the 08/18/2020 Minutes, circa May of 2020 began to stir the alleged arson that the Association wants everyone to forget. Something interesting happened in July or about two months later.

The pressure is mounting, a guilty mind or coincidence? Suddenly, Baca Grande's favorite, then President Stephen Dossenback places his both property for sale under the commission of Darlene Yarbrough Real Estate Property.

Date	Event	Price
10/13/2021	Sold	\$555,000 (-3.5%) \$297/sqft
Source: RECOLORADO REcolorado #3085873		
9/5/2021	Pending sale	\$575,000 \$307/sqft
Source: RECOLORADO REcolorado #3085873		
7/9/2021	Listed for sale	\$575,000 (+4427.6%) \$307/sqft
Source: RECOLORADO REcolorado #3085873		
12/29/2006	Sold	\$12,700 \$7/sqft
Source: Public Record		

Date	Event	Price
3/24/2022	Sold	\$140,000
Source: RECOLORADO REcolorado #7131181 Report		
12/19/2021	Pending sale	\$140,000
Source: RECOLORADO REcolorado #7131181 Report		
12/14/2021	Listed for sale	\$140,000 (+8.5%)
Source: RECOLORADO REcolorado #7131181 Report		
7/30/2021	Listing removed	--
Source: RECOLORADO REcolorado #9336185 Report		
7/25/2021	Listed for sale	\$129,000 (+1374.3%)
Source: RECOLORADO REcolorado #9336185 Report		
3/2/2012	Sold	\$8,750
Source: Public Record Report		

Main House for sale on 07/09/2021 and adjacent 26.5 Acres listed on 07/25/2021.

The fact that President Dossenback placed his home for sale about 60 days after Member Sandy kept investigating the alleged arson was not the only coincidence.

Here is the extent of coincidences which becomes hard to believe. Because Judge Ulrich acted more like an employee of the Association and not an independent judge, Mr. Sandy posted a complaint against her with the Colorado Department of Judicial Discipline on 06/11/2021.

**Colorado Commission on Judicial Discipline  
Request for Evaluation of Judicial Conduct**

**JUDGES**

Hon. Anna Nikole Ulrich  
Name

Saguache County  
County

Saguache County Judge/ 12th Distr.  
Judicial Position (County, District or Appellate Judge)

06/11/2021  
Date

**REQUESTING PARTY**

Bayardo Reno Sandy  
Name

609 Heatherbrae Road (UPS and Fed Ex)  
P.O. Box 432 (USPS Only)  
Street Address or P.O. Box

Crestone, CO      81131  
City and State      Zip Code


(310) 463-5446  
Primary Phone      Other Phone


On 06/29/2022 or 18 days later, Honorable Ulrich placed her home for sale; as of 08/11/2021 she was no longer a member of the Association and as of November of the same year she was no longer a judge.

"SOUTHWEST STYLE TWO STORY HOME ADJACENT TO SOUTH CRESTONE CREEK GREENBELT". Invest in colorful Colorado and retreat into this peaceful 980 sq ft two story

Continue reading ▾

<b>Aug, 2021</b>		
○ Aug 11, 2021	Sold (MLS)	\$215,000
Date	cren #783958	Price
○ Jun 29, 2021	Listed	\$207,740
Date	cren #783958	Price



Listing provided courtesy of Colorado Real Estate Network 

Returning to President Dossenback who listed all his property for sale on July of 2021, a curious thing happened; the 26.5 Acres listing was removed 5 days later on 07/30/2021. Why?

Date	Event	Price
3/24/2022	Sold	\$140,000
Source: <a href="#">RECOLORADO</a> REcolorado #7131181 Report		
12/19/2021	Pending sale	\$140,000
Source: <a href="#">RECOLORADO</a> REcolorado #7131181 Report		
12/14/2021	Listed for sale	\$140,000 (+8.5%)
Source: <a href="#">RECOLORADO</a> REcolorado #7131181 Report		
7/30/2021	Listing removed	--
Source: <a href="#">RECOLORADO</a> REcolorado #9336185 Report		
7/25/2021	Listed for sale	\$129,000 (+1374.3%)
Source: <a href="#">RECOLORADO</a> REcolorado #9336185 Report		
3/2/2012	Sold	\$8,750
Source: <a href="#">Public Record</a> Report		

If it was the will of the then president to leave town; why would he remove the listing of his 26.5 AC lot when it is evident that land takes a much longer time to sell than a home?

**REDFIN** City, Address  Redfin Denver: (303)-536-8941 Buy Rent Sell Redfin Premier Mortgage Real Estate Agents Fee

### Colorado Housing Market

Home prices in Colorado were up 1.8% year-over-year in January. At the same time, the number of homes sold fell 31.7% and the number of homes for sale rose 24.9%.

Overview **Supply** Demand News

#### Colorado Housing Market Overview

What is the housing market like right now?

In January 2023, home prices in Colorado were up 1.8% compared to last year, selling for a median price...

[Read More](#)

Median Sale Price <b>\$545,500</b> +1.8% year-over-year	# of Homes Sold <b>3,802</b> -31.7% year-over-year	<b>Median Days on Market</b> <b>52</b> +26 year-over-year
---	--	---

Even in a very hot market such as Colorado, the average time to sell a home was 52 days. Neither Redfin nor Zillow had the average days to show the same average with land. However, a realtor blogger took the time.



Often clients ask me how long does it take to sell my land? **I looked over 5 years of my transactions and the average "days on market" was 7.5 months.** Obviously the economy is incrementally improving and we are seeing days on market decrease. Recently, I listed two properties and they were under contract in a week or less! These quick sales are generally to the neighbors.

It is obvious that the reason why President Dossenback did not list the sale of his land separately and in fact withdrew the listing 5 days after it is because the sale of the land was in tandem with the sale of the home.

Date	Event	Price
3/24/2022	Sold	\$140,000
Source: REcolorado REcolorado #7131181 Report		
12/19/2021	Pending sale	\$140,000
Source: REcolorado REcolorado #7131181 Report		
12/14/2021	Listed for sale	\$140,000 (+8.5%)
Source: REcolorado REcolorado #7131181 Report		
7/30/2021	Listing removed	
Source: REcolorado REcolorado #9336185 Report		
7/25/2021	Listed for sale	\$129,000 (+1374.3%)
Source: REcolorado REcolorado #9336185 Report		
3/2/2012	Sold	\$8,750
Source: Public Record Report		

Consequently, the aftermath of the arson of Jarvis' property and probable embezzlement of funds to buy the truck, was the sudden departure from the State of Colorado.

### Chapter 5 – The Opportunity for Revenge on the Way Out

*“Power tends to corrupt and absolute power corrupts absolutely.”* A famous quote from historian Lord Acton. Why would Board Members rig an election in case 2013CV7?

DISTRICT COURT, SAGUACHE COUNTY, COLORADO P.O. Box 197 Saguache, Colorado 81149	DATE FILED: March 12, 2014 10:43 AM FILING ID: F4BF1F09BD8A1 CASE NUMBER: 2013CV7
<b>Plaintiffs:</b> JANIE THOMAS et al. v. <b>Defendants:</b> RUSSELL SCHREIBER et al.	▲ COURT USE ONLY ▲ Case No. 2013 CV 7 Division: 2
<b>STIPULATED AGREEMENT AND MOTION FOR DECLARATORY RELIEF</b>	

Pursuant to C.R.S. § 13-51-101 *et seq.* and C.R.C.P. 57, Plaintiffs Janie Thomas, Bruce McDonald, Nigel Fuller, and Diane Dunlap (“Plaintiffs”), Individual Defendants Russell Schreiber, Matie Belle Lakish, Treat Suomi, William Folk (“Individual Defendants”), and Defendant Baca Grande Property Owners’ Association (“Association”), hereby submit this Stipulated Agreement and Motion for Declaratory Relief (“Stipulation”).

Again, why would Board Members rig the Association’s election for the privilege of working for free? Why would their altruistic hearts for the love of volunteering corrupt their ethics to violate an election? The answer is power (and profit).

The former President Dossenback did not have to rig an election, he only had to keep the secret from the Membership that he had already left the State of Colorado. The artefact that would allow him to keep the lure that he was not leaving the State of Colorado

was to un-list his 26.5 Acres Land for sale (which he did on 07/30/2021); simply because it was already a conditional part of the deal for the buyers of his home. The buyers would be guaranteed to have an area without any neighbors from their bedroom window all the way to the tree-line on the stream near Camino Real. A feeling made obvious by one of the buyers of Dossenback's land; Member Lisa Haskins, via her own photo-testimonial on Facebook on 10/26/2021.



The 26.5 Acres provides and guarantees an unblocked view of the Sangre de Cristo Mountain Chain; and the sale of the lot was kept secret since July of 2021 even

though the then president had already purchased a new home on 07/17/2021, in Little River, South Carolina.

If then President Dossenback really loved the Baca Grande Association; why did he leave? Oh, yes; the premeditated arson of Jarvis' property in the previous year.

**Zillow** Save Share

3 bd | 2 ba | 2,024 sqft  
 104 Swallowtail Ct, Little River, SC 29566

**Sold: \$370,000** | Sold on 07/17/21 | Zestimate®: \$456,000  
 Est. refi payment: \$2,202/mo [Refinance your loan](#)

Home value Owner tools **Home details** Neighborhood details

### Price and tax history

#### Price history

Date	Event	Price	
7/17/2021	Sold	\$370,000 (+3.6%)	\$183/sqft
Source: <a href="#">CCMLS</a> CCAR #2115297 Report			
7/17/2021	Pending sale	\$357,000	\$176/sqft
Source: <a href="#">CCMLS</a> CCAR #2115297 Report			
7/15/2021	Listed for sale	\$357,000 (+36.4%)	\$176/sqft
Source: <a href="#">CCMLS</a> CCAR #2115297 Report			

Well, Zillow.com and the MLS shows a love story in Little River, SC, because former president must have fallen in love with his new home; because only after two days after the property was in the MLS or 07/15/2021, two days later or 07/17/2021 then President Dossenback made an offer to buy and closed willing to pay another 3.6% above the listed price two days earlier.

The secrecy of the automatic sale of Dossenback's land would allow his presidency to continue for he was in compliance with the Covenants. His intent had two

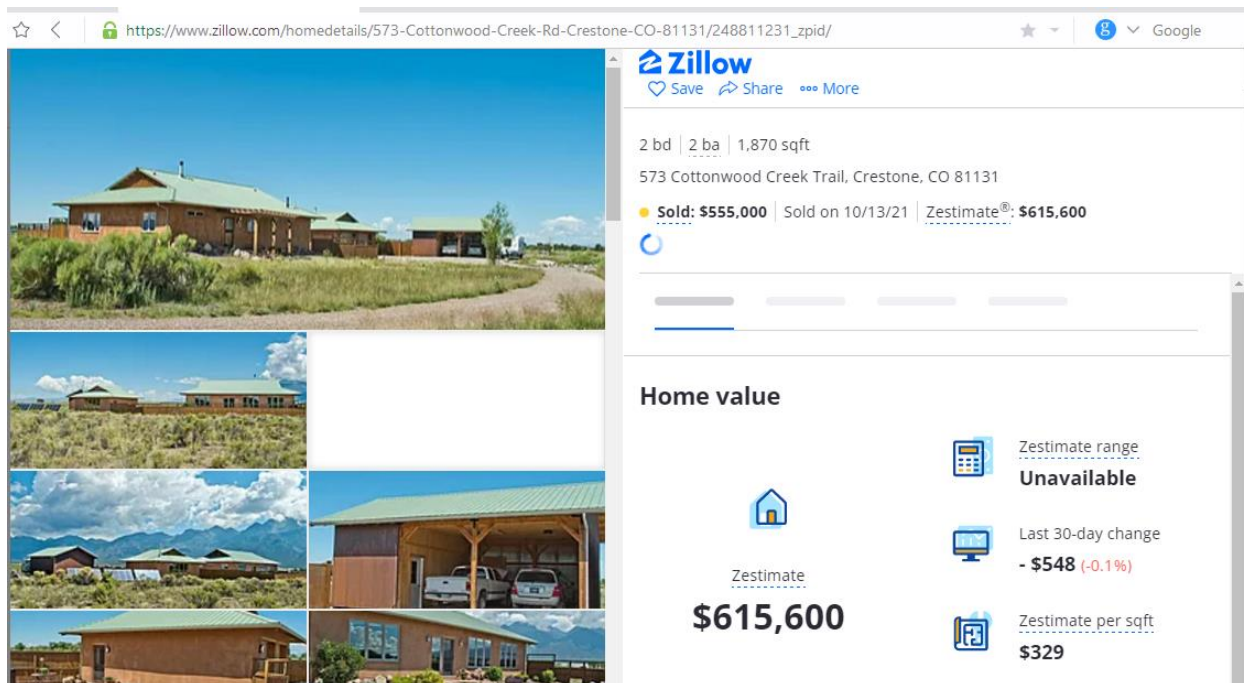


accomplices; the real estate corporation which represented him, and the real estate corporation which represented the buyers.

What are the incentives to keep the sale of the land off the books until the following year?

Date	Event	Price
10/13/2021	Sold	\$555,000 (-3.5%) \$297/sqft
Source: RECOLORADO REcolorado #3085873		
9/5/2021	Pending sale	\$575,000 \$307/sqft
Source: RECOLORADO REcolorado #3085873		
7/9/2021	Listed for sale	\$575,000 (+4427.6%) \$307/sqft
Source: RECOLORADO REcolorado #3085873		
12/29/2006	Sold	\$12,700 \$7/sqft
Source: Public Record		

- 1) Then President Dossenback would not have to relinquish his presidency even when he was already living in Little River, South Carolina.
- 2) The buyers, Lisa and Kimberly Haskins would receive a discount of \$20,000.00 even when property prices continued to go up in San Luis Valley. In fact, as of the crafting of this Brief on 03/24/2023, Dossenback’s former property was Zestimated® to be at \$615,000.00 or 10.81% higher on 10/13/2021 during the closing.



- 3) Member Darlene Yarbrough and Darlene Yarbrough Real Estate violated Colorado Ethics Practice and the Restate Covenants for the sales commission.
- 4) Ms. Niamh Kelly-Weston and Brackendale Realty LLC. violated Colorado Ethics Practice and the Restate Covenants for the buyers' sales commission.

Consequently at least six individuals were entangled in the secret that the land was being sold along with the house; but delayed on the paperwork. Which also has tax implications to be disclosed on Chapter 8.

### **Chapter 6 – The Racist Revenge While Living in South Carolina**

The same Membership-apaty that allows money to be syphoned via balanced sheets falsely audited by Griffin Group CPA. Also allows discrimination to be practiced in the name of the Membership.

The fact that the former president moved to South Carolina, which according to Wikipedia is the same state where the Ku Klux Klan went to die, is not enough to prove *racist bent of mind*. However, the Association and the tenure of Dossenback prosecuting the Minority Members while allowing Caucasian Members to violate the Covenants should be proof. The name of Members violating the Covenants and EAC Guidelines could be provided, if the reader is in doubt, many names favoring Caucasians were previously listed as Exhibit-A of *Bayardo Sandy v. BGPOA et. al. 18-cv-02572 U.S. District Court*.

A few examples are:

- 1) *Carmen Gonzalez et al v. BGPOA; Saguache County Case 2018C56*; in this case the Association insisted that the Cabrelem Family, of African American and Latino race would have to install a well, install a septic tank and leave a ransom of \$5,000.00 before commencing construction. The same was not applied to Anglo-Saxon Caucasians before and after the Cabrelem family. Even providing to the Court an audio recording of former president Dossenback lying to them; the County Court would not admit the audio as evidence, and the family found it easier to leave Baca Grande than to fight the racism against them.
- 2) *Curtis Muhammad v. BGPOA Saguache District Case 2018CV3*; in this case an African American Civil Rights Leader had his nursery addition design refused; unless he finished frivolous details such as door trims and window trims. The length of the litigation and petty harassment drove him to place his home for sale and leave Baca Grande as well.
- 3) On 06/17/2021 Contempt Citations Hearings against Members:

- a) *BGPOA v. Jeffrey Winsett, Saguache County Case 2017C30004*
- b) *Baca Grande POA v. Robert DeMers; Saguache County Case 2018C30034*
- c) *BGPOA v. Bayardo Sandy Saguache County Case 2018C30078*

Case Name	Status	Date	Time	Case Number
Baca Grande Property Own	A		10:00 am	18C30034
Campbell 182352, Danny	C	T	3:00 pm	20CV30028
DeBerrera, Alicia	A	U	11:00 am	08C33
Demers, Robert	A		10:00 am	18C30034
Garcia, Andre	A		11:30 am	21C24
Karon Dumisa, A W A Minor	C	T	3:00 pm	20CV30028
Luna, Amanda	A		11:30 am	21C24
Maez, Wendi	A	T	9:00 am	2153
Quintana, Eugene	A		10:30 am	21C15
Salaz, Anthony	T	P	1:00 pm	20DR30007
Salaz, Heather	T	P	1:00 pm	20DR30007
Sandy, Bayardo	A	P	11:00 am	18C30078
Simpson, Clifton	A	T	9:00 am	2153
Smith, Dolores	A	T	10:00 am	21C21
Smith, Gary	A	T	10:00 am	21C21
The Baca Grand Property Ov	A	P	11:00 am	18C30078
The Baca Grande Property C	A		10:30 am	17C30004
Trujillo, Earl	A		10:30 am	21C15
Trujillo, Margaret	A		10:30 am	21C15
Trujillo, Max	A		10:30 am	21C15
Valdez, Eric	A	U	11:00 am	08C33
Winslett, Jeffrey	A		10:30 am	17C30004

The Association filed Contempt Citations in violations of the EAC Guidelines; and three Defendants had to attend Court on the same day to make it more economical for the Association’s esquire to drive from Denver.

However, while Mr. Winsett and Mr. DeMers were sanctioned to pay a \$25.00 per day until their edifices were demolished, the Latino Sandy was sanctioned at \$50.00 per day; furthermore, the only edifice that was demolished was the Latino’s while former President learned of his lobbying remotely from South Carolina.

The ongoing discriminatory treatment was also reported to the whole state of Colorado via Rocky Mountain PBS, a documentary titled; ***How do you form your own***

***town? These Coloradans are trying to find out***” reported by Brittany Freeman, Jeremy Moore and Published on 11/23/2022.

“I would have to say most people complain about the POA and have for quite some time,” Cyriacks said. “And I think the biggest reason is it’s fairly arbitrary and capricious in how it applies the rules.”

“It’s kind of always bounced back and forth between how much do we enforce things and how much do we let things play out?” she said.



<https://www.rmpbs.org/blogs/news/baca-grande-property-management-association/>

Association Member Lisa Cyriacks testified on camera to the reporters: *“I would have to say most people complain about the POA and have for quite some time, and I think the biggest reason is it’s fairly arbitrary and capricious in how it applies the rules. It’s kind of always bounced back and forth between how much do we enforce things and how much do we let things play out?”*

Thanks to the secrecy on the sale of Dossenback’s second property, he was able to continue to lobby for the destruction of Mr. Sandy’s unfinished construction (which was paused due to the lawsuit started by the Association and then President Dossenback on 11/20/2018). The reader should take noticed of the proper word employed as “destruction,” because the Association in 2021 and 2022 neither solicited a demolition

permit with the CDPHE nor filed for an asbestos inspection prior to the destruction of property or illegal demolition of the property.

### Chapter 7 – Why The Destruction of Mr. Sandy’s Property was Illegal

Lightning struck twice; in the same fashion that the Association premeditated the destruction of Member Jarvis’ property in 2020 without applying for an asbestos inspection and a demolition permit with the Colorado Department of Public Health and Environment; the Association did it again in the destruction of Member Sandy’s property in 2021.

The destruction was thus illegal because the Association violated state statute to start a demolition without proper permits.

## Work SHEET

**SAGUACHE COUNTY SHERIFF'S OFFICE**  
Saguache CO

<b>Priority</b>			
<input type="checkbox"/> Today	<input type="checkbox"/> Rush	<input type="checkbox"/> Routine	Expires: _____
<b>Process Information</b>			
Service Number	21-0352	Court Number	2018C30078
Process Type	CIVIL ORDER	Court County	SAGUACHE COUNTY COI
Received Date	12-14-2021	Plaintiff	BACA GRANDE POA
<b>Requestor Information</b>		<b>Address</b>	
Name	BACA GRANDE POA	P.O. BOX 237	
Contact		CRESTONE, CO 81131	
Phone	719-256-4171	Fax	719-256-4173
<b>Respondent Information</b>			
Name	BAYARDO R. SANDY	Date of Birth	SSN
Location	RESIDENCE		
Location Name	BACA GRANDE		

The same Saguache Sheriff Department which did not bother to include the premeditated meetings between the Association and the Commissioners on the intent to burn Jarvis' property, later conspired again when the Association on 12/14/2021; and used a 11/07/2019 judgement without informing the Defendant Sandy was still in Court appealing the Contempt Citation on the same judgement. Further the Sheriff did not bother to consult with the County Clerk to see if the judgement was still valid or overturned, when it actually had a pending litigation in 2021 and a pending appeal in 2022.

On 12/07/2022; Member Sandy filed a Motion to Set Aside (11/07/2019 Judgement) because (now retired) Judge Zollars was displaying acute cognitive decline, by making several mistakes on her 10/15/2021 Order including the inclusion of a boat which was never in dispute between the parties in suit. The Court Administrator announced the resignation of Judge Zollars on 02/23/2022, or nine days after she was being sued in Federal Court for cognitive decline pursuant to C.R.C.P. Rule 363.



*news*

Colorado Judicial Department  
Brian D. Boatright, Chief Justice  
Steven Vasconcellos, State Court Administrator

FOR IMMEDIATE RELEASE  
Feb. 23, 2022

Contact: Robert McCallum or Jon Sarché  
720-625-5815  
720-625-5811

[robert.mccallum@judicial.state.co.us](mailto:robert.mccallum@judicial.state.co.us)  
[jon.sarche@judicial.state.co.us](mailto:jon.sarche@judicial.state.co.us)

**12<sup>th</sup> Judicial District announces Rio Grande County Court vacancy**  
*Commission sets date to select nominees*

The Twelfth Judicial District Nominating Commission will meet via videoconference on April 15, 2022, to interview and select nominees for appointment by the governor to the office of county judge for Rio Grande County. The vacancy will be created by the resignation of the Hon. Barbara A. Zollars. The vacancy will occur on June 1, 2022.

The destruction of the unfinished dome was also illegal because Defendant Sandy had the right to stay the 11/07/2019 Judgement. The stay is afforded as a Constitutional Right of due process under C.R.C.P. Rule 362(b). The unfinished home was destroyed in violation of C.R.C.P. Rule 362(b) on 01/21/2022. The District Court granted the stay to the 11/07/2019 Judgement and the Association took the structure down regardless.



Dome Construction paused since the Association started lawsuit against Member Sandy in 2018 as Saguache County Case 2018C30078





Dome destroyed by the Association on 01/21/2022 while Saguache County Case 2018C30078 was still moving through two appeals and “granted a Motion to Stay the 11/07/2019 Judgement.”

The Colorado Statute C.R.C.P. Rule 362(b) on states, upon filing the motion to appeal the Defendant had 14 days to file a motion to stay. Because the Defendant Sandy filed a Motion under C.R.C.P Rule 360 on 12/07/2021.

C.R.C.P. Rule 362(b) reads as:

*(b) Stay on Motion for New Trial or for Judgment. In its discretion and on such conditions for the security of the adverse party as are proper, the court may stay the execution of any proceedings to enforce a judgment pending the disposition of a motion for a new trial or to alter or amend a judgment made pursuant to Rule 359, or of a motion for relief from a judgment or order made pursuant to Rule 360, or of a motion for judgment in accordance with a motion for a directed verdict made pursuant to Rule 350, or pending the filing and determination of an appeal to the district court.*

Like the words of member Jason Anderson regarding the burning of Jarvis’s property; *“Well, the Court’s been slow, Commissioner.”* The Association or its Generalissimo Dossenback decided not to wait for the Courts, violated Member’s due process and destroyed the Dome without a state permit on 01/21/2022.

The Association, or better yet, the President residing at large in South Carolina, Mr. Dossenback upon revenge lobbied for the unfinished dome to be destroyed without due process. He was unlikely to suffer consequences for two reasons, he is no longer in the State of Colorado (except for his corporation Craig Electric LLC.) and the Restated Covenants offers him immunity for actions during his tenure.

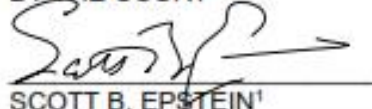
Therefore, even with a motion to stay the 11/07/2019 the property was destroyed in stealth, without a timely pending motion to stay and without State demotion permits.

DISTRICT COURT, SAGUACHE COUNTY, COLORADO Court Address:501 Christy Ave. P.O. Box 197 Saguache, Colorado 81149		DATE FILED: April 27, 2022 10:05 AM CASE NUMBER: 2022CV2
<b>Plaintiff-Appellee:</b> THE BACA GRANDE PROPERTY OWNERS ASSOCIATION, a Colorado nonprofit corporation		COURT USE ONLY
<b>Defendant-Appellant:</b> BAYARDO R. SANDY		
		Case No. 2022CV2
<b>ORDER: MOTION TO STAY COUNTY COURT JUDGMENT OR ORDERS FROM CASE 2018C30078</b>		

THIS MATTER is before the Court on Appellant Mr. Sandy's Motion for Stay of County Court orders. The Court GRANTS the motion, and the Saguache County Court order entered November 17, 2019 and dated October 15, 2021 is hereby stayed pending further orders of this Court.

Done this 27<sup>th</sup> day of April, 2022

BY THE COURT



SCOTT B. EPSTEIN<sup>1</sup>

To take notice that former Judge Zollars was so sick, that she had six different dates for the 11/07/2019 Judgement; and although I submitted the Motion to Stay with the proper date (11/07/2019) the District Judge copied one of the wrong dates from Judge Zollars on her 10/15/2021 Order.

The mistakes were listed on the Motion to Set Aside filed on 12/07/2021, listing the several ways that the Court wrote the date of 11/07/2019 judgement.

- 8) Several clerical issues without clarity, continuance and editing. For instance, on the Order of 10/15/2021. The Court wrongly referred to the 11/07/2019 Order as:
  - a) On 10/15/2021 Order's Title Box as "11/17/2019 Order."
  - b) On 10/15/2021 Order's Clause-2, Page 2 as "11/17/2019 Order."
  - c) On 10/15/2021 Order's Clause 8, Page 2 as "11/19/2020 Order."
  - d) On 10/15/2021 Order's Clause-14, Page 3 as "11/17/2019 Order."
  - e) On 10/15/2021 Order's Clause-21, Page 4 as "11/12/2019 Order."
  - f) On 10/15/2021 Order's Clause-25, Page 4 as "11/12/2019 Order."
- 9) Other clerical issues without clarity, continuance and editing. For instance, on the Order of 10/15/2021. The Court wrongly referred to the Governor's Mandate Order as of 2019 when it was actually issued in 2020. (see 10/15/2021 Order's Clause 19; Page 4).

So, the secrecy in the sale of Dossenback's properties made his gung-ho on the destruction of the Sandy's property possible even if the judge showed mental decline and it has been since then retired.

However; even a layperson could recognize that the delay of the information would cause a financial advantage when it comes to the tax avoidance or tax evasion. The next Chapter will explore the difference.

### Chapter 8 – The Math on Tax Avoidance and Tax Evasion

Here are the simple numbers and common facts for the reader to follow the tax benefits and so to assess the difference of tax avoidance and conspiracy on tax evasion.

Date	Event	Price	Date	Event	Price
10/13/2021	Sold	\$555,000 (-3.5%) \$297/sqft	3/24/2022	Sold	\$140,000
Source: <a href="#">RECOLORADO</a> REcolorado #3085873			Source: <a href="#">RECOLORADO</a> REcolorado #7131181 Report		
9/5/2021	Pending sale	\$575,000 \$307/sqft	12/19/2021	Pending sale	\$140,000
Source: <a href="#">RECOLORADO</a> REcolorado #3085873			Source: <a href="#">RECOLORADO</a> REcolorado #7131181 Report		
7/9/2021	Listed for sale	\$575,000 (+4427.6%) \$307/sqft	12/14/2021	Listed for sale	\$140,000 (+8.5%)
Source: <a href="#">RECOLORADO</a> REcolorado #3085873			Source: <a href="#">RECOLORADO</a> REcolorado #7131181 Report		
12/29/2006	Sold	\$12,700 \$7/sqft	7/30/2021	Listing removed	--
Source: Public Record			Source: <a href="#">RECOLORADO</a> REcolorado #9336185 Report		
			7/25/2021	Listed for sale	\$129,000 (+1374.3%)
			Source: <a href="#">RECOLORADO</a> REcolorado #9336185 Report		
			3/2/2012	Sold	\$8,750
			Source: Public Record Report		

List of Events for Conspiratorial Evasion of Taxes		
Date	Recorded Historical Event	Price US Dollars
12/29/2006	Dossenback bought his home lot	\$12,700.00
03/02/2012	Dossenback bought the Second Property	\$8,750.00
07/09/2021	Dossenback’s home is listed for sale	\$575,000.00
07/25/2021	Dossenback’s 2 <sup>nd</sup> Property is listed for sale	\$129,000.00
07/30/2021	Dossenback’s (lot) 2 <sup>nd</sup> Property is unlisted	

12/14/2021	Dossenback's (lot) 2 <sup>nd</sup> Property is re-listed	\$140,000.00
12/19/2021	Dossenback's (lot) 2 <sup>nd</sup> Property is sold	\$140,000.00
03/24/2022	Dossenback's 2 <sup>nd</sup> Property sale is closed	\$140,000.00

<b>Common Taxable Facts</b>		
Tax Code	Event	Value
IRS Publication 523	If you meet certain conditions, you may exclude the first \$250,000 of gain from the sale of your home from your income and avoid paying taxes on it. The exclusion is increased to \$500,000 for a married couple filing jointly.	\$250,000.00 individuals or \$500,000.00 Couples
1031 Exchange	There is no exception on the second property except in a transaction known as a 1031 exchange; where profits are invested in a similar real property.	No Limit

**Accounting of taxes on First Property Home in 2021**

According to the Federal and State Tax Code, the Dossenbacks would not have to pay any capital gains on the first property in the fiscal year of 2021. Here is the math.

$$(\text{Sales Price}) - (\text{Initial Price}) - (\text{Construction Cost}) - (\text{Tax Exemption}) = (\text{Taxes to Pay})$$

$$(\$555,000.00) - (\$12,700.00) - (\$75,000.00) - (\$500,000.00) = (-32,700.00; \text{Zero taxes})$$

**Accounting of taxes on Second Property (Lot) if sold in 2021**

According to the Federal and State Tax Code, the Dossenbacks would have to pay capital gains on the second property up to 15% of the sales if the property was sold in the same fiscal year as his main home in 2021 and about 4.5% in Colorado’s Capital Gains. Here is the math.

$$(\text{Sales Price}) - (\text{Initial Price}) = (\text{Profits}) (15\% (4.5\% \text{State}) \text{ Fed Gains}) = (\text{Taxes to Pay})$$

$$(\$140,000.00) - (\$8,750.00) = (\$132,250.00) - (\$19,687.50) = (\$19,687.50 \text{ Federal tax})$$

$$(\$140,000.00) - (\$8,750.00) = (\$132,250.00) - (\$5,951.25) = (\$5,951.25 \text{ Colorado taxes})$$

Federal and State taxes on the second lot sold in 2021 would have been \$25,638.75.

**Accounting of taxes on Second Property (Lot) when sold in 2022**

According to the Federal Tax Code, the Dossenbacks would not have to pay any capital gains on the second property up to 15% of the sales if the property was sold in 2022. Because standard deduction in 2021 for folks over 65; Single or Married filing separately was \$12,950.00 Married filing jointly was \$25,900.00. Here is the math.

$$(\text{Sales Price}) - (\text{Initial Price}) = (\text{Profits}) (15\% \text{Fed Gains}) - (25,900.00 \text{ Exp}) (\text{Taxes to Pay})$$

$$(\$140,000.00) - (\$8,750.00) = (\$132,250.00) (x15\%) = (\$19,687.50) =$$

$$(\$19,687.50 - 25,900.00 \text{ Standard Tax Deduction}) = (\text{Zero Federal tax to pay})$$

## **Chapter 9 – What is a Little Tax Evasion Among Friends?**

The month that forensic accounts look for the most fraud is December; when property and boats go up in flames and Christmas Miracles take place.

When it is common knowledge that a vacant lot or land takes an average of seven and half months to sell the feat that the Dossenbacks were able to list on 12/14/2021 and have a sale pending five days later on 12/19/2021 is indeed another Christmas Miracle, just like driving a new truck when surplus funds were transferred to an investment account when the Membership looked at the fact with apathy.

Sarcasm aside, it was not a Christmas Miracle, it was a willful conspiracy to evade taxes and with the additional benefit of Mr. Dossenback continuing his reign remotely.

The fact that the property was re-listed on 12/14/2019 was an effective way to hide the intent from the Association that “Elvis had already left the Building;” because when the Darlene Yarbrough listed the property as pending for sale on 12/14/2019 she probably know exactly the number of days that would reflect on the MLS, and by then, most members of the Association’s Board were already traveling for Christmas or on Winter Holidays. It was thus, a willful and wanton behavior to delay the knowledge of the sale which had probably occurred back in September f2021.

The tax evasion which was a willful intent born from the sellers, would not have been possible without the participation of the buyers and their realtors.

## Chapter 10 – The Criminal Implications for State and Federal Tax Evasion

When it comes to a crime<sup>1</sup> and the conspiracy to commit a crime, the federal and state statute have charges for before, and after the crime takes place. Tax evasion's most famous arrestee was a charitable American Business Man who during the years of the Great Depression had a racial integrated line for food; (as the photo shows) decades ahead of the Civil Rights and the Social Security Administration and Food Stamps.



---

<sup>1</sup> The author is a layperson when it comes to law; therefore, most of the sharing in this chapter were first questioned via Google Search. *“What are the implications for tax evasion?”* Therefore, it cannot be construed as legal opinion, yet common sense, like “to conspire to evade taxes is wrong.”



It is not a gratuitous comparison between notorious Al Capone and former President Dossenback; just like Al Capone's record for civil victories; Mr. Dossenback never lost a civil case during his tenure in the Association in State Courts; perhaps having an Association Member as the judge it also helped the victories.

Except for the sellers, whose tax evasion was close to \$26,000.00; each of the conspirators had the ballpark financial benefit to participate in the Sellers' tax evasion of about \$20,000.00. Thus, stemming from the \$20,000.00 discount of the sale price and also near \$20,000.00 for the commission as a realtor for the buyers and about the same amount as for the sellers.

In order for the tax evasion to take place **before** the actual crime; the Sellers had to coordinate with the Buyers and two Real Estate Agencies, and because an evasion of taxes by hiding the intent to sell on 07/25/2021, was hidden from public records on 07/2021 and squeezed in as a Christmas Miracle on 12/14/2021 and formalizing the sale until the next fiscal year, 2022; to forego the payment of approximately \$25,000.00 in capital gains on the second property.

*The primary federal conspiracy statute is 18 U.S.C. 371. It says that a conspiracy against the United States occurs when two or more people conspire to commit an act that is a crime under the U.S. Code. It is also a crime to conspire to defraud the United States.*

The U.S. Code 18 USC 371 reads:

*18 U.S. Code § 371 - Conspiracy to commit offense or to defraud United States*

*If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in*

*any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.*

*If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor.*

Now we have to ask Google again; “*Is conspiracy to defraud the United States such as tax evasion a misdemeanor or a crime?*” Google said:

*[1] Two kinds of tax evasion. Section 7201 creates two offenses:*

*(a) the willful attempt to evade or defeat the assessment of a tax, and  
(b) the willful attempt to evade or defeat the payment of a tax.*

*Sansone v. United States, 380 U.S. 343, 354 (1965).*

So; the friendly folks of Cornell Law School had the Statute online:

**26 U.S. Code § 7201 - Attempt to evade or defeat tax**

*Any person who willfully attempts in any manner to evade or defeat any tax imposed by this title or the payment thereof shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, shall be fined not more than \$100,000 (\$500,000 in the case of a corporation), or imprisoned not more than 5 years, or both, together with the costs of prosecution.*

It looks obvious that the conspirators were successful in defeating the capital gains of the second property; but not so successful in concealing the paperwork and transactions in hiding the sale of the second property until December 14, 2021 to bypass the Association Covenants and to bypass the taxes on the large lot. Because it stands to reason; once the Internal Revenue Service sues all parties involved, the IRS will have direct access to bank accounts and see that moneys were transferred from bank accounts promises were made via emails, text messages and so on.

Charges for imprisonment aside, however just looking at the direct rough math of 26 U.S. Code § 7201; because six individuals were involved and two corporations the numbers are as follows:

<b>Total Cost of Tax Evasion Under the Federal Statute</b>	
<b>Entity or Individual</b>	<b>26 U.S. Code § 7201 fine</b>
The Dossenbacks	Original tax dodging \$19,687.50
Stephen Craig Dossenback	\$100,000.00
Jill Dossenback	\$100,000.00
Darlene Yarbrough (Individual)	\$100,000.00
Darlene Yarbrough Real Estate,LLC. (Corporation)	\$500,000.00
Lisa Haskins	\$100,000.00
Kimberly Haskins	\$100,000.00
Niamh Kelly-Weston	\$100,000.00
Brackendale Realty LLC	\$500,000.00
<b>Possible Grand Total</b>	<b>\$1,619,687.50</b>

If the title company also had knowledge will add at least one more individual and corporation; thus, adding another \$600,000.00.

However, the state of Colorado mirrors the federal statute 26 U.S. Code § 7201 in severity and fees; the law is known as C.R.S. §39-21-118; although the prison term 3 is years instead of 5, the law adds 12% interest to per unpaid year.

<b>Total Cost of Tax Evasion Under the Colorado Statute</b>	
<b>Entity or Individual</b>	<b>C.R.S. §39-21-118 Fines</b>
The Dossenbacks	Original tax dodging \$5,951.25
Stephen Craig Dossenback	\$100,000.00
Jill Dossenback	\$100,000.00
Darlene Yarbrough (Individual)	\$100,000.00
Darlene Yarbrough Real Estate,LLC. (Corporation)	\$500,000.00
Lisa Haskins	\$100,000.00
Kimberly Haskins	\$100,000.00
Niamh Kelly-Weston	\$100,000.00
Brackendale Realty LLC	\$500,000.00
<b>Possible Grand Total</b>	<b>\$1,605,951.25</b>

Other possible charges:

<b>Rough total based on 26 U.S. Code § 7201; and C.R.S. §39-21-118 – Fines</b>	
<b>26 U.S. Code § 7201</b>	\$1,619,687.50
<b>C.R.S. §39-21-118</b>	\$1,605,951.25
<b>Grand Total of Fines in attempt to evade taxes</b>	<b>\$3,225,638.75</b>

So; it is not all bad news, the attempt to evade approximately \$26,000.00 could end up generating 3.2 million dollars in taxes the State and Nation. There is also a possibility that it will not get to 3.2 million, because one of the conspirators may contact the IRS and offer the Dirty Hands Defense. However, it is possible that the Dirty Hands

Doctrine will not apply because the conspirators were hoping that the misdeed would never be discovered; therefore, there is the angle of being an accessory after the tax evasion.

### **Chapter 11 – Accessory After the Commission of a Crime**

Tax evasion is a crime, and the records show that the Dossenbacks colluded with their broker(s), the buyers and their broker(s) in the commission of the tax evasion of the second lot; consequently, having the knowledge that a crime was committed is the duty of the author of this Brief to inform the State and Federal Authorities for the recovery and punishment of the wrongdoing and also ethical wrongdoing.

The author of this Brief also sent a copy of the same to the lawyers of the Association and the lawyers of the Dossenback, because the destruction of the unfinished dome is still being disputed in *Bayardo Sandy v. State of Colorado 22-cv-00413*.

The relationship of clients and attorneys are protected via client/attorney privilege except in the commission of crimes; also, the advantage of evading taxes would afford the leadership of former president to continue to lobby for the destruction of the Dome, even though he was by then a resident of South Carolina.

As president for another tenure of two years, former President Dossenback still had a lot of leverage over the Baca Grande area; consequently, the buyers and the brokers could conveniently claim that they were coerced in to accepting Dossenback's terms of sale to still remain *el-presidente* remotely. However, after January 20, 2022 the brokers and buyers became an accessory to the tax evasion.



**BACA GRANDE**  
PROPERTY OWNERS ASSOCIATION

PO BOX 237; CRESTONE, COLORADO 81131 PHONE: 719.256.4171 FAX: 719.256.4173  
WWW.BACAPOA.ORG INFO@BACAPOA.ORG

**Minutes for the Meeting of the Baca Grande  
Property Owners Association Board of Directors  
Thursday, January 20, 2022, 10:00 AM  
Held via teleconference**

**1) CALL TO ORDER**

A meeting of the Baca Grande Property Owners Association Board of Directors was called to order by President, Dale Halley, at 10:00 AM. Board members in attendance were President, Dale Halley, Vice President, Diego Martinez, Treasurer, Sugandha Brooks and Secretary, Ed Sbarbaro. Also present was Executive Director, Connie Estrada.

**2) APPROVE AGENDA**

Director Halley made a motion to amend the agenda to add resignation of Steve Dossenback. Director Brooks made a motion to approve the amended agenda, seconded by Director Sbarbaro, the motion carried unanimously.

Now that the *el-presidente* was no longer in power, the clock was ticking for the other four participants of the tax evasion to come forth and inform the IRS and Colorado Department of Treasury of the scheme to evade capital gains on the second property. Which they did not.

Regarding “aid after the commission of a crime,” the good folks of Cornell Law School shared:

*An accessory after-the-fact is someone who, knowing a crime was committed, receives, relieves, comforts, or assists the offender or in any manner aids them to escape arrest or punishment. See: U.S. v. Triplett, 92 F.2d 1174 (5th Cir. 1991). The aid provided by the defendant to the principal must be given after the principal completes the crime.*

So, to the publishing of this Brief and Dossenback’s the legal departure from the Board has been more than one year. Consequently, the participants of the misdeed benefited as well and counted in the records not being discovered by this author.

*18 U.S. Code § 3 - Accessory after the fact*

*Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.*

However; because at least four individuals had financial participation, they may be seen under the law not as accessories but as principals.

*18 U.S. Code § 2(a) - Principals*

*(a)Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.*

Similar statute with imprisonment and fines are mirrored in the State level such as C.R.S. 18-3-105.

## **Chapter 12 – Hope for Redemption and Dirty Hands Defense Next Legal Actions**

Every little town in the U.S.A. has its own history of corruption; mayors giving contracts to cousins and so on. The Dossenbacks' tax evasion would not have been discovered if he had not insisted in being *el presidente* while it was clear that he was already residing in Little River, South Caroline since 07/17/2021. His discriminatory hatred and ax to grind against Mr. Sandy was the motive to hid the sale of the second lot, the tax evasion would have been a bonus.

It is possible that four individuals were coerced into submitting to Dossenback's discrimination for fear of retaliation, nominally the buyers and the brokers. However, as illustrated in the previous chapter, more than a year passed when Dossenback's influence

has been no longer an issue. Consequently; the Dirty Hands Doctrine may no longer apply.

The Definition of Dirty Hands Doctrine:

Unclean Hands Doctrine

*An equitable defense that bars relief to a party who has engaged in inequitable behavior (including fraud, deceit, unconscionability or bad faith) related to the subject matter of that party's claim. The unclean hands doctrine is also known as the "clean hands doctrine" and the "dirty hands doctrine." The unclean hands doctrine typically applies only to equitable claims such as requests for injunctive relief or specific performance, but some jurisdictions permit it as a defense to legal claims as well.*

Quoted from: Thompson Reuters; Westlaw

For the buyers and the brokers, the Dirty Hands Doctrine is usually applied in criminal circumstances; however, the conspiracy with the sellers also created civil liabilities because it was thanks to the hidden sale of the second lot, that it was possible for Dossenback to continue to lobby for the destruction of the Mr. Sandy's unfinished dome.

Consequently, the brokers and the buyers may be added as *Defendants in Sandy v. State of Colorado 22-cv-00413* for engaging in a tax evasion and participating in a private plot to circumvent the covenants which brought the destruction of the dome.

The "hope for redemption" is if the remaining four conspirators will collaborate with the judicial and government authorities and provide the private communications which allowed the second lot to be kept. Anyone holding knowledge and evidence of the hidden transaction pertaining to the hidden sale of second property, or even the alleged arson of



1190 Beaver Road is encouraged to contact with legal authorities and Mr. Sandy. A notarized affidavit will be helpful for justice and for fiscal authorities.

### Chapter 13 – *Veni, Vidi, Fugi*

The original in Latin was *Vini, vidi, vinci*; for *I came, I saw, and conquered*; but in this chapter illustrate the sudden arrival and the sudden departure of the *new-sheriff-in-town*.

In a span of 888 days, Mr. Dale William Halley became a member of the Association, became the president of the Association, then resigned, and left the town. Why?

<i>888 Days of Vini, Vinci, Fugi</i>		
Date	Circumstance	Number of days
03/02/2020	Becomes member via home purchase	Day Zero
11/18/2021	Nominated as President of the Assoc.	626 days later
03/12/2022	President Halley resigned effectively	114 days later
05/14/2022	Member Halley listed his home for sale	63 days later
06/07/2022	Sale accepted contract pending	24 days later
08/05/2022	Mr. Halley no longer a member of Assoc.	61 days later

Lasting just as long as the average Italian presidency rotation, President Halley left office 114 days after assuming the presidency. It would have been interesting if he remained living in Crestone; however, 61 days after leaving office his home was also for

sale. Allegedly just enough time to examine the balance sheets and to know that in a few days he will have to be signing the tax declaration in the tenure of his predecessor—Dossenback in 2021. It would have been a leap of faith because all the Minutes signed for the months of 2021, did not have a single approved and audited balance sheet and the January's Minutes approved an unaudited balance sheet for November of 2020.

To put in perspective on 11/21/2019 the Association was approving surplus funds and consolidating accounts and on 09-17-2020 (see *Minutes Line 4-C*) it approved to adopt the faked letter of audit; while all the approved balance sheets for 2020 were unaudited. Once again as explained in Chapter 3; why faked? Because the disclaimer does not provide any assurance or opinion of accuracy in the last line of the disclaimer below.

**Disclaimer of Opinion on Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that a Schedule of Future Major Repairs and Replacements be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Financial Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Griffin Group, CPA*

Denver, Colorado  
September 1, 2020

The practice of unaudited balance sheets is repeated in 2021; and on 09-16-2021 the Board approved to adopt another faked letter of audit; with the same disclaimer and with the same corporate signature without providing the name of a human being.

**Disclaimer of Opinion on Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that a Schedule of Future Major Repairs and Replacements be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Financial Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Griffin Group, CPA*

Denver, Colorado  
August 16, 2021

Under two years of more unaudited balance sheets along with faked letters of audits since 2018; now with Mr. Dossenback out of town the *Association finished in 2021 operating in red*, according to the Crestone Eagle.



Three things to take notice in this article; a) it did not mention of the surplus funds in the Minutes of 11/21/2019; b) it did not mention that all the balance sheets were unaudited for the last two years, and c) it did not mention that the balanced sheets were faked due to the disclaimer of lack of assurance.

Therefore, the facts are simply circumstantial that according to the unstated amount of surplus funds in 11/21/2019; the sudden apparition of a brand-new truck for the president in January of 2020; two years of unaudited balance sheets; a former president also hiding the sale of his second property in 2021 to remain in power and to evade taxes, and as soon as a new president assumes powers he has to declare to the public that the Association has been operating in the red.

*Something is rotten in the state of Denmark*<sup>2</sup>. Simply because on top of unaudited balance sheets, hidden sale of property. The public records show that in the span of fewer than 300 days<sup>3</sup> or 9 ½ months; two elected presidents resigned and sold their homes and moved out of the Association.

#### **Chapter 14 – Conflict of Interest, Corruption, New Parasites and Apathy**

The Membership's apathy is the Association Board of Directors' encouragement to remain corrupt. In several instances the Board of Directors' Minutes speak and approve several unaudited balance-sheets to be approved.

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<sup>2</sup> Quoted from William Shakespeare, his work in *Hamlet* for emphasis.

<sup>3</sup> The dates of Dossenback's home sale was on 13/10/2021 and Halley's was on 08/05/2022; thus 296 days.

However, in a few instances that it was claimed to be an audited balance sheet; it was still unaudited. Why? Again, since 2018, even the pseudo-audited balance brought a disclaimer in fine print to dismiss any assurance<sup>4</sup>; as already disclosed in Chapter 3.

Thanks to the Membership’s apathy the Board of Directors attract Board Members with one of these three elements: 1) A big ego, 2) Conflict of Interest, or 3) Embezzlement in mind.

It is axiomatic that former President Dossenback’s search and final purchase of a new home out of the State of Colorado was not an overnight endeavor. According to Trulia.com the average time<sup>5</sup> ranges from one to six months.



<sup>4</sup> There are no audited-reports (with no assurance) were available for 2015, 2016, 2017 because according to the forensic audited of 2014 is the practice of the Association to destroy documents.

<sup>5</sup> <https://www.trulia.com/guides/buying-a-house-timeline/>

The Board Minutes of 2021; shows that no Board Members attended the meetings in person through the year, which allowed President Dossenback plenty of time to procure his intent to leave the Association and the State a lot sooner than July of 2021.

Regarding remote a Board, history repeats with the new Board since Dossenback’s resignation on 01/19/2022. The Membership’s apathy allows the remote representation to occur even when a Board Member is not elected in the case of nominated Vice President LeRoy West. Here are the noticeable dates:

<i>New Resident During Pandemic Became V.P. Attending Meetings from California</i>		
Date	Circumstance	Number of days
10/29/2021	Becomes member via home purchase	Day Zero
03/17/2022	Nominated as Vice President of the Assoc.	139 days later
06/04/2022	V.P. Places home for rent with Zillow	79 days later
07/05/2022	V.P. Places home for rent with Zillow	31 days later

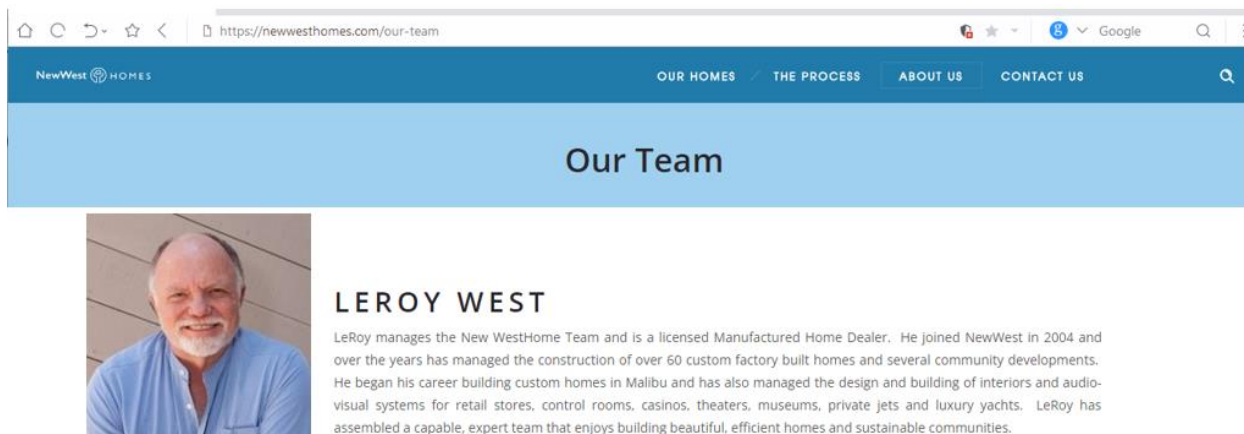
Except for the month of July of 2022; the Vice President spent most of the year attending meetings via Zoom from California. Attendance extracted from 2022 and 2023 Board Minutes. Even his nomination to the post of vice president post, according to the minutes, was done remotely.

<p><b>A. Board Vacancy Appointments</b>                  Dale Halley, Board President, resigned on March 12, 2022 which left two (2) vacancies on the Board.                  Director Brooks made a motion to appoint Diego Martinez as President, LeRoy West as Vice President and Alison McClure as Member at Large, seconded by Director Sbarbaro, the motion carried unanimously.</p>	
<p>03/17/2022 Minutes, V.P. LeRoy West was appointed via Teleconference; thus, not present in Crestone.</p>	
<p>Thursday, April 21, 2022, 6:00 PM                  Held via teleconference and in person at the Baca Grande POA Hall</p>	<p>LeRoy West (attended via Zoom),</p>
<p>Thursday, May 19, 2022, 12:00 PM                  Held via teleconference and In person at the Baca Grande POA Hall</p>	<p>LeRoy West (attended via Zoom),</p>
<p>Thursday, June 16, 2022, 6:00 PM                  Held via teleconference and in person at the Baca Grande POA Hall</p>	<p>LeRoy West (attended via Zoom),</p>
<p>Thursday, July 21, 2022, 10AM                  Held via teleconference and in person at the Baca Grande POA Hall</p>	<p>Also present Vice President, LeRoy West,</p>
<p>Thursday, August 18, 2022, 6PM                  Held via teleconference and in person at the Baca Grande POA Hall</p>	<p>LeRoy West (attended via Zoom),</p>
<p>Thursday, September 15, 2022, 10 AM                  Held via teleconference and in person at the Baca Grande POA Hall</p>	<p>LeRoy West (attended via Zoom),</p>
<p>Thursday, November 17th, 2022, 10:00am                  Held via teleconference and in-person at the Baca Grande Association Hall</p>	<p>LeRoy West (attended via Zoom),</p>
<p>Thursday, January 19th, 2023, 11:00am                  Held via teleconference and in-person at the Baca Grande Association Hall</p>	<p>LeRoy West (attended via Zoom),</p>

In support to, that thanks to the Membership's apathy the only individuals approaching membership in the Board are people with a) inflated egos, b) bent on embezzlement or c) having a conflict of interest; the question arises: Why would an individual who resident mostly in California becomes the vice president of the Association only 139 days after becoming a member?

The Membership is robbed from a new member with only 139 days of residency. The community is robbed because the new member is ignorant of the history and the needs of the community; furthermore, who attends meetings from California and placed his home for rent 79 days after being nominated.

However, it is not from the kindness of his heart nor a sense of civil duty, but inherent conflict of interest, because he has his own corporation on home building in California.



However, Vice President West may also cut the red tape with the Association once already inside the Board and approve pod-homes, because according to Google his LinkedIn page also list him as a manager for another corporation on small housings.



When it comes to conflict of interest the vice president is not alone. The new



President Diego Martinez also has aspirations in housing or home building because according to the Colorado Secretary of State, on 10/09/2022, he commenced a limited liability corporation called “Casita del Oro;” which is translatable from Spanish to “Golden Little House” or “Little House of Gold.”

## Summary

Details			
<b>Name</b>	Casita del Oro Ltd.		
<b>Status</b>	Good Standing	<b>Formation date</b>	10/09/2022
<b>ID number</b>	20221978690	<b>Form</b>	Limited Liability Company
<b>Periodic report month</b>	October	<b>Jurisdiction</b>	Colorado
<b>Principal office street address</b>	365 Cam del Oro W, Moffat, CO 81143, US		
<b>Principal office mailing address</b>	365 Cam del Oro W, Moffat, CO 81143, US		

Registered Agent	
<b>Name</b>	Diego Martinez
<b>Street address</b>	365 Cam del Oro W, Moffat, CO 81143, US
<b>Mailing address</b>	365 Cam del Oro W, Moffat, CO 81143, US

The newly formed Board continues to depict the inherent and ongoing conflict of interest which has been going on for decades; and the Membership’s apathy makes it possible.

### Chapter 15 – Membership’s Apathy is the Culprit

The Covenants have no rule for the Board Members residency in the same way that the American President is not obligated to reside at the White House; simply because some things are self-evident. During the whole year of 2021 the former President

Dossenback was possibly already residing in South Carolina (because 100% of the Board Meetings were via telephone), and for the 2022 and 2023 the current Vice President “West” has been residing in the U.S. “West” Coast (in California). This is possible because of the Membership’s apathy.

The Membership’s apathy is also responsible for years and years of unaudited balance sheets; with a fake letter of audited purchased from a CPA (with a disclaimer that the annual balance sheet has no assurance of audit) which allows no accountability to know whether the Board or employees have been embezzling the Association. What the Griffin Group CPA is actually saying in its disclaimers is: *“if the balance sheets or the books were cooked before handed to us; we have no way to assure anything.”*

For instance, the Membership’s apathy now exposing itself to more possible lawsuits, eventually it may not be enough that the vice president’s conflict of interest on wanting his pre-fab home-kits approved by the EAC Committee; but his conflict of interest may provide an incentive for the EAC Committee Board to disapprove pre-fab home kits of his competitors.

Very recently during the Rocky Mountain PBS Documentary, Vice President West exposed the Membership to a possible slander by alienating certain members from their civil rights to respond to a lawsuit; because West claimed the financial problems of the Association are because of self-represented litigants. However, the same RMPBS Documentary provided the actual numbers of times that the Association had lawsuits in the County since 2016 which were 65; and the Association was defendant in 8 of them. Consequently, the Association initiated 87.7% of the litigation, yet blamed on Members

who initiated lawsuits 12.3% of the time although it was their constitutional right to have access to litigation. Furthermore, Vice President West being nominated to his post only 139 days after purchasing his home, place it for rent 79 days later and doing most of the voting for 2022 and 2023 via Zoom from California had very little time to understand that since 2018 the Association has only had unaudited balance sheets and sanitized with fake letters of audits (as described on Chapter-3).

### **Chapter 15 – Conclusion**

This Pelican Brief Part Two: Crestone Edition, was postulated conclusions and allegations via documents available in Court's dockets, BacaPOA.org Document Center, Zillow, MLS, and several online sources.

The genesis of this brief was the recent discovered Dossenback's willful intent to hide the sale of the second property to remain the president of the Association with the side effect of evading capital gain taxes in the State of Colorado and Federal Taxes. A tax evasion that would not be possible if not for the previously mentioned Membership's apathy.

It does not matter if the Association is non-profit organization, as long as it is being private, it can keep the embezzlement sealed from the Membership's apathy, forever.

THE END