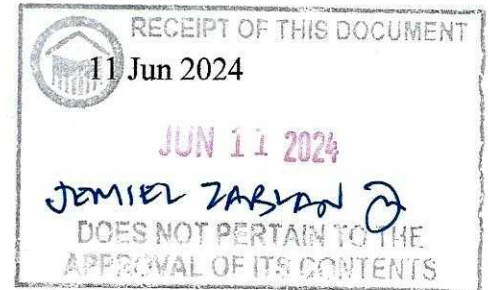




Pula Amsic Clubhouse, 2nd Floor Conference Room  
Pula Amsic Subdivision, Angeles City, Pampanga 2009  
Email Address: [pula\\_amsic.lotowners@yahoo.com](mailto:pula_amsic.lotowners@yahoo.com)  
Cell phone : 0917-923-8604

Director Julius Ervin O. Enciso  
Regional Director – Region 3  
Department of Human Settlements and Urban Development  
DMGC, DHSUD/HSAC Bldg,  
Malikhain, Brgy, San Fernando, 2000 Pampanga



Dear Director Julius Ervin O. Enciso,

I am writing in response to your letter dated May 10, 2024, but not received until May 28, 2024 with regards to the complaint from Mr. Michael Smith.

For the record, in his complaint, Mr. Smith has blatantly acknowledged being a renter in the subdivision for the past two years, yet now fraudulently claims to be a 'landowner.' He also has the audacity to assert that he is "in the process of building a house on 'my land' within the subdivision." Is he even aware that the Philippine Constitution strictly forbids foreigners from owning land in the Philippines? An inspection of title TCT 2023005886 for property Lot 7 Blk 15-A clearly shows that the registered owner is Marivic Simbol, not Mr. Smith. Is Mr. Smith openly admitting to violating our laws? Furthermore, Mr. Smith is not even a member of the association, yet he insists on dictating our policies.

That said and in good faith, we will still address the matters that he raises. As previously mentioned in our response to Marybell Hammer's allegations, the history of our association is well-documented. This new board has been in place for barely a year and has worked tirelessly to address homeowners' concerns. Given that the former board, led by Mr. Bryan Hammer, operated for nearly nine years and granted special exemptions to certain individuals, we expected some resistance as we strive to level the playing field for all homeowners. We have started addressing numerous weekly complaints by enforcing the original bylaws while awaiting a homeowner vote on the revised rules.

Mr. Smith's praise of the "well-managed" subdivision under Bryan Hammer, who was never authorized to hold that position, seems solely aimed at discrediting and dissolving the new board. Let me address each of Mr. Smith's points:

1. It is true that we tested the setting out of traffic cones at the front gate entrance for the purpose of creating two lanes in hopes of expediting the traffic and reducing wait times. The lane on the left was for visitors, while the lane on the right was meant for residents with proper entry stickers. Most of the residents complied with the traffic flow plan but Mr. Smith had issues and allegedly stole our traffic cones which he confirms in his complaint letter. The board is still considering the filing of charges for theft if our cones are not returned. Your assistance in convincing him to return the property would be appreciated.
2. We changed the security company after observing poor performance, several burglaries, and numerous complaints about guards sleeping on duty and allowing unauthorized entries. After interviewing three new agencies, we decided on a change. Feedback on the new service has been overwhelmingly positive, with Mr. Smith being one of a few notable exceptions.



3. With respect to disallowing the guards to accept deliveries, Mr. Smith is correct. Guards are paid to secure the subdivision and should not be distracted caring for packages for certain residents. We do not have enough security officers or the space to run a post office at the front gate. This decision was made to avoid liability for lost packages and to ensure guards focus on security. Homeowners need to make their own arrangements to receive their packages.
4. With regards to sticker entry, the subdivision has the right to require entry stickers. This practice is not new as Mr. Smith would lead you to believe. It was implemented before we took over. It is a common practice in most subdivisions. The issue here is that the former guards lackadaisically applied the rules and allowed many vehicles to freely enter the subdivision without challenge. The board still believes that strict enforcement is necessary for subdivision security. Mr. Smith is mistaken if he believes that there is no crime in the area.
5. We plan to issue IDs to residents, house help, contractors, etc., for easy identification and security. IDs allow easy identification of those persons entering the subdivision and/or using our facilities. Take the swimming pool area for example since Mr. Smith brought it up. There are days when the swimming pool area is overcrowded, and the Board receives complaints about it. Although each resident is permitted to bring in a certain number of visitors there are those who constantly violate the rules. IDs will help monitor and control access, ensuring all residents can enjoy the facilities.
6. With respect to the building construction and contracting regulations, the new Board has not made changes. Once again, Mr. Smith is misinformed. The rules for the easements have always been there to protect the common areas and the neighboring properties. Violations occurred under the previous board, led by Bryan Hammer, who even approved his own waiver years ago when he was sitting as the board President.
  - 6a. Easements and setbacks are zoning rules as required by the National Building Code of the Philippines and the subdivision original bylaws. When you violate the easements, you deprive your neighbors of open space, light and airflow. When you bought your property, you agreed to follow those rules. If someone promised you something else, then perhaps you should complain to them.
  - 6b. The "Road Use Fee" is collected to maintain our roads especially given the heavy loads attributed to the hauling of construction materials, steel, cement and aggregates. There is a cost to repair and maintain the roads and that cost increases every year. The board evaluated the amount being charged and voted to increase it in line with the years of inflation, price hikes, etc. We would all certainly like to be paying the same prices we paid in 2007 when this subdivision was formed, but obviously that was no longer possible.
  - 6c. The construction rules and ID requirements are for the good of the subdivision. Again, these rules are not new and are being enforced because of complaints and recommendations of the board members and homeowners. Again, we are reacting to complaints of unknown persons wandering in parts of the subdivision and even soliciting funds from homeowners on the streets. There have also been some burglaries attributed to construction workers outside of their work areas. Uniforms allow us to quickly identify who is authorized in certain areas and who is not. With regards to the fees, please refer to item 6b. I believe that we have already covered that issue there.



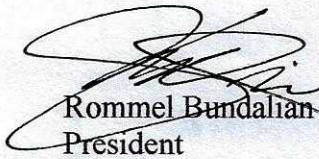
Mr. Smith concludes his complaint letter by asking you to consider "the removal of the current committee of Pulu Amsic Subdivision" but he fails to address who should take over. Would he like the local barangay captain to take charge? As we stated previously, the subdivision has not had enough participation to achieve a quorum and previously the board was populated by self-appointed directors such Bryan Hammer. This new Board has only been in position for a year now and we are trying to right the wrongs of the past so that all residents are treated fairly and the rules and rates are applied the same across with board without the need to know a certain person or belong to a certain group.

Mr. Smith has not attended any board or committee meetings where he could offer constructive input before resorting to writing to your office where your time is certainly limited and should be spent on more urgent matters. We invite him to participate in our board meetings held on the first Wednesday of each month at the Clubhouse office of the association. Finally, we request that he returns the safety cones he admitted to taking.

#### CONCLUSION

Mr. Smith's complaint appears to be part of a concerted effort by former board members and their friends to malign and disrupt the current board. Their baseless complaints ignore the serious violations and unratified actions of the former boards while attempting to find fault with the new board for enforcing existing rules. We encourage these members to join one of our committees and offer constructive input rather than seeking to remove the board without a plan for replacement.

Sincerely,



Rommel Bundalian  
President

Pulu Amsic Lot Owners Association (PALA), Inc.