

February 26, 2024

VIA EMAIL

BELL CANYON ASSOCIATION  
30 Hackamore Lane, Ste. 8  
Bell Canyon, CA 91307

BELL CANYON COMMUNITY CENTER, INC.  
30 Hackamore Lane, Ste. 8  
Bell Canyon, CA 91307

Michael W. Rabkin  
WOLF, RIFKIN, SHAPIRO, SCHULMAN &  
RABKIN, LLP  
11400 West Olympic Blvd., 9<sup>th</sup> floor  
Los Angeles, CA 90064

Re: November 6, 2023 Lease Between Bell Canyon Community Center, Inc. and Bell Canyon Community Services District

Mr. Kevin Keegan (BCCC President), Ms. Melissa Raff (HOA President), and Mr. Rabkin (HOA and BCCC counsel):

We represent the Bell Canyon Community Services District (“District”), the California State municipal government that serves the residents of Bell Canyon. On November 9, 2023 the District received a letter from Mr. Rabkin as legal counsel to Bell Canyon Association (“HOA”) and BCCC (Bell Canyon Community Center, Inc., the corporation that owns/manages the Community Center building and parking lot), alleging that the lease dated November 6, 2023 between the BCCC as landlord and the District as tenant for Community Center office 2A and 2B (“Office Lease”) was a forgery and fraudulent. In other words, the HOA is claiming that one or more of the signatures on the Office Lease is falsified and that the document is counterfeit, created with a fraudulent intent. This is completely **untrue** – the Office Lease is a valid and legally binding document.

Both the BCCC and HOA issued that letter without conducting any due diligence to determine whether the Office Lease was a valid legal document and properly executed. Prior to November 9, 2023, no one contacted either the Interim General Manager of the District, Greg McHugh, or the then-President of the BCCC, Garrett Clancy, who are both signatories to the Office Lease. Both Mr. McHugh and Mr. Clancy have stated that they indeed personally signed the lease on November 6, 2023. Furthermore, there is time-stamped written documentation that approval of the Office lease by the BCCC, and an affirmative vote of the majority of the BCCC Board at the time, occurred on the morning of Monday, November 6, 2023. Mr. Clancy specifically affirmed the vote and approval that morning before signing the Office Lease. It is confounding that the BCCC alleges in its November 9, 2023 letter that its own BCCC board never approved, accepted, or agreed to the Office Lease, but there is documentary evidence that clearly shows a majority of the BCCC board did vote to approve the Office Lease that morning of November 6, 2023.

The November 9, 2023 letter issued by the HOA and BCCC, and signed by Mr. Rabkin, indicates not only a lack of due diligence, but also lack of transparency and candor in the governing body

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of the HOA and BCCC in authorizing the issuance of that letter. In claiming that the Office Lease is a forgery, the HOA and BCCC have accused its own then-President of a crime under Penal Code section 470. More importantly, the HOA and BCCC have flippantly accused the Interim General Manager of the District, a public official, of a crime without any evidence – which the District takes very seriously.

To this day, the BCCC and HOA continue to claim that the Office Lease is not valid. There is no dispute that the District has lawfully occupied office 2B and has paid rent for office 2B for many years, and that the BCCC has accepted the rent for said office. Thus, the District has a right to quiet possession of office 2B under California Law without substantial interference from the Landlord. Moreover, because the Office Lease is valid and legally binding, the District has the right to quiet possession of office 2A. However, the District has been denied access to office 2A.

Accordingly, the District demands that the HOA and the BCCC immediately take the following actions to rectify this situation:

1. Retract the false claims and accusations contained in the November 9, 2023 letter, specifically that the Office Lease is a forgery and that the District, its Interim General Manager, and the then-President of the BCCC committed a crime.
2. Issue a written statement of apology to Mr. Clancy, Mr. McHugh, and the residents of Bell Canyon for falsely accusing that a forgery occurred.
3. Identify and explain what errors occurred that resulted in the false accusations, and implement corrective measures to ensure proper due diligence is conducted in all BCCC and HOA operations.
4. Instruct the BCCC or HOA's general manager to provide keys to office 2A and honor the terms of the Office Lease.

If the District does not hear from the BCA and/or BCCC Boards by February 29, 2024 of their intention to comply, the District will have no choice but to consider further legal action.

Sincerely,

ALESHIRE & WYNDER, LLP



Pam K. Lee, District General Counsel

copy: District President and Boardmembers  
Interim General Manager