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November 4, 2020

VIA EMAIL (kklopp@hallandalebeachfl.gov)

Office of the City Manager

400 South Federal Highway

Second Floor

Hallandale Beach, Florida 33009

Attn: Keven Klopp, Assistant City Manager

**RE: OCEANVIEW PARK CONDOMINIUM ASSOCIATION, INC. – DEMAND
TO PICK-UP TRASH**

Dear Mr. Klopp:

As you are aware, this Firm serves as counsel to the above referenced Association. This correspondence shall serve to memorialize the Association's most recent undesirable and dangerous condition that the City of Hallandale Beach, Florida created as a result of its failure to perform the trash pick-up services for the Association on Tuesday November 3, 2020.

Although the Association has recently been in communications with the City of Hallandale Beach to engage a private waste hauler to provide service to the Association, the City has rejected its request even though it is not providing the necessary service pursuant to its duties. Since the commencement of our communications, the Association has been receiving egregiously substandard services. Specifically, the Association's request for the recycling to be picked up on Thursday of each week has not been accommodated. Additionally, the City flat-out failed to pick-up the Association's trash on Tuesday, November 3, 2020, even though the Association took out the bin, and left it outside overnight, and it remains outside currently hoping to be picked up, evidencing ongoing and repeated issues with the sanitation services provided by the City.

On Tuesday, in anticipation of the scheduled trash pick-up, the Association moved its trash bins outside of the trash room. The City's sanitation department did not appear on the scheduled trash pick-up date, and the Association is facing an increasing amount of trash that flows over the trash bins and the Association is unable to move the trash bins back in to the trash room. Plus, while the bin is in the parking lot, it creates an attractive nuisance and obstructed the driveway flow.

Note that each time the Association is required to move its trash bins from the trash room out for pick-up by the City, the Association is exposed to undue liability. Additionally, it is

extremely dangerous for the Association to keep the trash-bins outside of the trash room to accommodate the delays in the City's services.

Whether the failures of the City to perform trash pick-up is an intentional retaliatory action by the City in response to the Association's recent complaints and requests to switch to a private waste hauler, remains to be seen. However, be advised that the City's continued failure to pick-up trash at the Association Property shall be deemed as the City's abandonment of the services.

Accordingly, the Association requires the City to perform an immediate pick-up of the trash bins at the Association Property before the conditions further deteriorate. Additionally, the Association requires that this correspondence be included as part of the record for the reconvened meeting with the City of Hallandale Beach and the Association to discuss the City's rejection of the Association's application for private waste hauling and disposal. The Association reserves the right to bring legal action against the City for failing to provide essential services and for creating hazardous conditions at the Association Property.

Finally, as of the date of this correspondence the reconvened meeting has not been scheduled by the City. Please contact us with any questions the City may have and to coordinate and reconvene the meeting between the Association and the City.

Very truly yours,

GURSKY RAGAN, P.A.

DARRIN GURSKY, ESQ.

KYLE A. ALONSO, ESQ.

For the firm

cc: Oceanview Park Condominium Association, Inc. (via email)