

# **SIERRA PARK SERVICES, INC.**

## **SMALL CLAIMS COURT CASE SC19412**

**Sierra Park Services, Inc. (Plaintiff)**

**Robbie and Denise Bettencourt (Defendants)**

**Trial Date: February 24, 2017**

### **COMMUNITY OF SIERRA PARK -**

#### **History In Brief -**

Inception (~late 1940s) to present

#### **Operational Cost Sharing -**

Annual Bill/Lot = Annual budget divided by  
number of lots

## SUMMARY OF WHAT IS OWED

Small Claims Court & 3-yr SoL Limit

WHAT	AMOUNT OWED	NOTES
Assessments: 1 Lot over 3-yrs	\$1,892	
Late Fees: 1 Lot over 3-yrs	\$825	
<b>TOTAL =</b>	<b>\$2,717</b>	
Less payments made =	-\$94	
SCC limit and 3-yr SoL:	\$2,623	

## SUMMARY OF WHAT IS OWED (1 Lot)

Quantum Meruit - 2-yr SoL

Quantum Meruit: (Sum FY 2014 + FY 2015 bills)	\$1,344	
Late Fees: (1 Lot over 2 yrs)	\$600	
<b>TOTAL =</b>	<b>\$1,944</b>	Write-Off: \$679*
Minus Opt'l Bridge and Ancillary Fee:	-\$260	
Less amount paid:	-\$94	
QM Amount Sought =	\$1,590	
+ Court Costs =	\$270	
<b>TOTAL =</b>	<b>\$1,860</b>	<b>Total Write-Off: \$763*</b>

\* Between SCC and QM

## PER LOT COST vs. VALUE ANALYSIS<sup>1</sup>

*"What Robbie and Denise Bettencourt have earned"*.

SERVICE PROVIDED	BUDGET AMOUNT	VALUE
Trash	\$51	\$324 <sup>2</sup>
Needle Dump	\$55	\$80 to \$100
Area Maintenance	\$48	Footnote 3 (+)
Administration	\$61	\$120 to \$150 <sup>4</sup>
Road Maintenance / Snow Plowing	\$541	\$541 <sup>5</sup>
Gate	0	\$75 to \$150(+) <sup>6</sup>
<b>TOTAL =</b>	<b>\$756</b>	
Minus misc. revenue and profit applied to ancillary costs	(200)	\$200 <sup>7</sup>
<b>ASKED TO PAY =</b>	<b>\$556</b>	
<b>VALUED AT =</b>		<b>\$816++ to \$1,465++</b>

Footnotes:

1. Per lot cost based on budget average of 2 years - FY 2014, FY 2015.
2. Curbside service per Waste Management, but may not be available as such.
3. Fire, Life Safety, and Calfire access impossible to "value".
4. Ancillary management costs (insurance, labor, benefits, etc.). Assumes costs for paid part time manager. Currently provided through volunteer BOD.
5. Calling this a "wash". The county will not maintain or plow Park roads. Also consider Civil Code 845.
6. This represents the estimated additional costs of having property owners and others from outside the community illegally dump their trash and needles, added wear and tear on roads, potential for property theft, and risk of the Park being sued in the event of injury.
7. SPS, Inc. shareholders have always dedicated all profit and any other anticipated revenue beyond annual lot billing to All property owners.