



Pearl Valley HOE Trustee Communiqué No 1

Dear fellow residents,

We are honoured to have been elected as your new homeowner-elected (HOE) trustees and are committed to representing all homeowners. It is important that we all work together as we take on these important responsibilities for the future of our estate.

We want to thank the outgoing HOE trustees for their hard work and achievements during the past two years. We also thank them for their gracious written message acknowledging our election as the new HOE trustees.

To those who did not vote for us or do not know us, please know that we will do our best to represent your interests and listen to your concerns.

Our objectives range from providing strategic leadership to the Estate Manager and his administration team to facilitating the challenging negotiations to create a new constitution for the Super Estate. We will follow a transparent process with regular feedback to our constituency.

It is one of our primary goals to create a positive enabling environment for the benefit of all homeowners. We will strive to exceed your expectations in our objective to negotiate a place for Pearl Valley within the Super Estate!

Referendum result

In our opinion, we have a very clear mandate to represent you in negotiations to join the Super Estate, in which all homeowners will have access to the full facilities of the entire Super Estate and the benefits it offers everyone.

As candidates for election as trustees, we stood on a transparent platform to join the Super Estate. We had resolved to withdraw as candidates prior to the AGM if the referendum vote had been for an Independent Estate. The referendum result was 74% in favour of joining the Super Estate, which was a clear and unequivocal majority. This provides us with a very strong mandate and a clear direction going forward.

Time to look forward

We have been made aware that since the trustee elections, there have been many harmful comments, damaging statements on social media, *in-person* public abuse and intimidation of some of the newly elected trustees, as well as our supporters. This is extremely regrettable.

Some homeowners have used selective analysis to interpret the results of the trustee elections in their favour.

The reality is that the Pearl Valley hotel forms an integral and important part of our estate, it provides wonderful commercial facilities which are available to and supported extensively by homeowners, such as the deli, restaurant, bar and swimming pool. The reality is that PVI, the developer, does not own the hotel. The Mantis hotel group developed and marketed the hotel as a sectional title scheme with multiple sectional title owners. Each hotel section is a member of our HOA, just like every other Pearl Valley homeowner. Our HOA constitution allows each sectional title owner at the hotel and at the lodges to vote at our AGM.

The Acres was incorporated into the Pearl Valley HOA on 1 August 2022. The past HOE trustees have disputed this incorporation and initiated litigation in the High Court against the incorporation. Naturally, the decision of the High Court will need to be respected. In this respect, one past HOE trustee challenged the right of The Acres homeowners to participate and vote at the recently held AGM. This litigation was heard in the High Court the day before the AGM, and the case was dismissed by the Judge, with costs awarded against the applicant. The clear result of this High Court ruling was the acknowledgement that The Acres homeowners were entitled to attend and vote at the recently held AGM. The sentiment of The Acres homeowners was quite clear; of those who chose to participate in the AGM, 95% voted in favour of the new trustees. Clearly, The Acres homeowners wanted trustees who advocated for the Super Estate. It stands to reason that had all 164 properties in The Acres been transferred to the new homeowners by the date of the AGM, the overwhelming majority would have voted in favour of the new trustees.

The developer directly owned 91 properties on the day of the AGM. In terms of the constitution, they were entitled to cast their vote, which they did in favour of the new trustees. We did not ask the developer to vote for us. As far as we are concerned, the developer's votes can be disregarded, and the result would be unaltered. Do the maths yourself; the result is unequivocal.

For the record, the new HOE trustees support the incorporation of The Acres. We are strong advocates of the Super Estate, so how could we possibly not support the incorporation of The Acres? We welcome the new homeowners into our wonderful community and hope that they will all experience the fantastic secure lifestyle that we have all come to love and appreciate. The additional levy income and the long-term economies of scale will benefit the combined HOA. Please join us in welcoming these new families to Pearl Valley.

We urge you to look forward and assist us in a positive manner to enhance our Estate's brand and reputation; in our opinion, this will ultimately improve the value of each of our properties.

Pearl Valley homeowners' culture

As homeowners at the beautiful Pearl Valley, we have been over-exposed to a toxic culture of blaming, abuse, and intimidation (particularly on social media). This, together with the overload of information from multiple sources, has caused hurt and divisions in social groups and even ended some long-standing friendships.

We will strive to change this culture and create open platforms where people can proactively voice their opinions to guide the trustees and sub-committee members in

beneficial decision-making. We encourage direct communication where openness and honesty will be welcomed. We hope this new enabling culture can quickly eradicate the negativity displayed by some homeowners who seem set on creating division rather than unity among our community.

We have been overwhelmed by the support received from the majority of homeowners. We also acknowledge that many homeowners are exhausted by the negativity experienced over the last few months. We believe that the vast majority of homeowners simply want to be respected, experience a peaceful and harmonious lifestyle and enjoy the benefits of living in this secure luxury lifestyle Estate.

As new HOE trustees, we do not intend to engage in negative social media communication. We encourage all homeowners to “turn over a new leaf” and act positively in all social media communication.

Our contact details will be made available to all homeowners. We intend to host townhall meetings regularly (every three months or so) to allow for more open communication in a friendly and positive environment.

A positive path forward

We intend to meet with the developer and the VDV HOA HOE trustees as a matter of urgency to plan our 3, 6, 9 and 12-month Action Plan, which we will share with you as soon as possible.

The developers' commitments, per the attached letter, will be the basis upon which we intend to negotiate a commitment from the developer for clear timelines and actions. We represent the Pearl Valley homeowners, and our negotiations with the developer will always be steadfast and straightforward. Our demands will be delivered in a business-like and respectful manner. We believe a collaborative approach to negotiations with the developer will yield much better results for our homeowners.

[Click here to read The Developer's Letter](#)

Similarly, our negotiations with the VDV HOA HOE trustees will be positive and collaborative without allowing the outcome to affect Pearl Valley homeowners negatively.

We want to expand homeowner involvement in the governance of our Estate, as in the past, only five people, the four HOE trustees and the golf club representative participated in the estate governance. We believe that broadening homeowner participation will enhance transparency, provide access to far more qualified homeowners with specific and important skills and critically will provide vital estate governance knowledge to a wider group of homeowners, which will greatly assist with succession planning in future years.

Therefore, we invite homeowners to assist and contribute to our various sub-committees and to assist in executing the mandate given to us. We are very fortunate to live on an Estate with many current and past industry leaders, entrepreneurs and intelligent, passionate individuals; we invite and welcome your input. We hope a new culture of inclusiveness will attract many participants and initiate new ideas.

We look forward to all homeowners' support and ask that you allow us the opportunity to initiate and deliver on the tasks entrusted to us.

This is the first of many Communiqués that we will endeavour to disseminate to residents regularly to ensure that we keep the lines of communication open and ensure transparency as we traverse our journey for a better Estate together.

Kind regards,

Your new HOE trustees,

Justin, Beverley, Barry and Nico

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