

Date: July 30, 2026

To: Evan Morris, Listing Agent, CAL DRE Lic # 01912146

Orion Management & Realty, Inc.
1210 28th Street San Diego, CA 92102

Sent Via: Certified Mail, Return Receipt Requested & Email

Subject: MATERIAL FACT DISCLOSURE NOTICE: Active Structural Nuisance Dispute & Unpermitted Flooring Assembly – 8753 Lake Murray Blvd, Unit 4, San Diego, CA 92119

Dear Mr. Morris and Mr. Braddon, Managing Broker:

This letter serves as formal, written notice to your brokerage firm regarding a severe, active, and unresolved material defect and property nuisance dispute concerning your upcoming residential listing located at 8753 Lake Murray Blvd, Unit 4, San Diego, CA 92119.

As the owner of the condominium directly below (Unit 2), I am formally advising you that the hardwood flooring assembly in Unit 4 is legally non-compliant and exists in permanent violation of the Homeowners Association's Covenants, Conditions, and Restrictions (CC&Rs). The installation was completed without the mandatory Architectural Review Committee (ARC) application and completely lacks the required written neighbor signatures from the building stack necessary for structural validity.

My family has owned the lower unit for nearly 50 years and has never signed or approved this modification.

Furthermore, the continuous operation of uninsulated mechanical appliances and heavy equipment directly on this bare wood floor drives severe, low-frequency kinetic vibrations straight into my ceiling joists. This structural resonance creates an ongoing private property nuisance that actively exacerbates a documented spinal nerve and two complete knee replacement disabilities.

The Homeowners Association has been notified about this specific violation.

Pursuant to California Civil Code § 2079 and § 1102, real estate licensees in the State of California owe a strict, non-delegable statutory duty to prospective buyers to disclose any and all material facts that negatively affect the value, desirability, or psychological quiet enjoyment of a property [1.1, 1.2].

Neighborhood noise problems, structural modifications completed without proper HOA permits, and active disputes with neighboring owners are explicitly defined as material facts that must be disclosed in writing on the Real Estate Transfer Disclosure Statement (TDS) [1.1, 1.2].

Please be advised that your brokerage now possesses actual, documented knowledge of this continuing structural defect and active legal dispute. Assisting the sellers in concealing, minimizing, or failing to disclose this conflict to prospective purchasers or the MLS system constitutes intentional fraudulent concealment and a direct breach of your statutory duties, exposing your firm to substantial civil liability for damages and fraud [1.1].

I strongly advise you to govern your listing, marketing, and disclosure protocols accordingly to ensure full compliance with California real estate law.

Sincerely,
Safoura Taheri
Owner of Unit 2
safiet@yahoo.com