

**From:** office@bayhousecondosrockport.com  
**Subject:** Lien Issues  
**Date:** March 16, 2021 at 9:39 AM  
**To:**



**Fellow owners and neighbors,**

**This is to update you on two top-priority issues the board has been working to resolve.**

### **Mechanics Liens**

**In late January, 2021, we became aware of Mechanics Liens filed September 3, 2019, in Aransas County against five or more individual Bay House units. We learned of the liens through an owner who was attempting to complete a property sale. The Mechanics lien was filed by a sheetrock installer working as a sub-contractor for Roadrunner Restoration who alleges Roadrunner never paid him. In the absence of title searches, we believe the affected units are 2406, 2412, 2511, 2702, and 2707.**

**The board immediately contacted Roadrunner to resolve the issue and sought counsel from our attorneys. The five liens and possibly more are still active. Roadrunner reports they are working through their legal team to remove the liens, but thus far, we have seen no visible results.**

### **Constitutional Lien**

**On February 22, 2021, we were notified via the same owner, a second Constitutional Lien was filed by Roadrunner on February 4, 2021 in Aransas County against all 118 Bay House units for payment of \$610,176.77, an amount that far exceeds charges due for reconstruction.**

**As with the Mechanics liens, our first notice was given by a Bay House owner with a pending sale that was being delayed. At no time did Roadrunner or Mathis notify Bay House the lien was filed. Until resolved, the Constitutional Lien affects all unit sales at Bay House. The board is currently negotiating with Roadrunner to remove the unjustified liens.**

### **Resolution**

**The board is pursuing three parallel courses to achieve resolution:**

**1. Ongoing direct negotiations with Roadrunner with the assistance of The Mathis Group.**

**2. Working with our Bonded Insurance contacts to obtain**

**2. Working with our Borden Insurance contacts to obtain a bond to allow owners to work around the liens. Such bonds are expensive, hard to get, and may require collateral.**

**3. Preparation for potential litigation in Aransas County District Court. The board recognizes that litigation is lengthy, expensive, and guarantees no positive outcome for Bay House. The court dockets in Aransas County are backed up because of COVID-19.**

**We will keep ownership updated on progress. Under the circumstances, we recommend holding off on listing units for sale.**

**Board of Directors  
Bay House Council**

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