

**RESOLUTION  
OF THE  
VILLAGES AT COTTON RANCH HOMEOWNER'S ASSOCIATION, INC  
(herein the Association)**

<b>SUBJECT:</b>	Adoption of a Policy and Procedure regarding Enforcement of Declaration, Covenant, Rules and Regulation (herein Enforcement).
<b>PURPOSE:</b>	To provide notice of the Association's adoption of a uniform and systematic procedures for Enforcement.
<b>AUTHORITY:</b>	The Declaration, Articles, and Bylaws of the Association and Colorado Law.
<b>EFFECTIVE DATE:</b>	
<b>RESOLUTION:</b>	The Association Board of Directors (herein Board) here by adopts the following policy and procedures

The publication of this Resolution on the Association website and an informational letter to all owners shall be considered as notice to owners. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning. The term Board shall be synonymous with Executive Board and the term Declaration is synonymous with Covenants, Conditions and Restrictions. This Policy and Procedure may be amended by the Board. The Board reserves the right to deviate from these procedures if in its sole discretion such deviation is reasonable under specific, documented, and unique circumstances.

The Board encourages neighbors to talk to other neighbors about actions that create a nuisance, safety hazard, or are listed in Section X of the Declarations. A polite request may resolve the issue and avoid possibly creating conflict or hard feelings.

**Reporting Violations:** Complaints regarding alleged violations (herein Violation) may be reported by an Owner to the Board. Guests and tenants must report alleged Violations to the Owner. The report of a violation may be in writing or verbally reported to a Board member. The report must contain the date and time, reference the specific section of the Declaration (see Section X) and the person or persons causing the Violation. Complaints should be accompanied by pictures and the names and contact information of independent witnesses.

**Cause for Violation:** Article X of the Declaration shall serve to define causes for violation. Alleged violations that are NOT described in Article X will not be accepted by the Board for investigation nor remedy.

**Investigation:** At the discretion of the Board, complaints lacking specific information or documentation may not be investigated nor prosecuted. Upon receipt of a complaint, a Board member will talk to the complainant, the violator(s) and witness(s) to verify the details of the complaint and confirm the complaints validity. The Board member will also review the complaint documentation for completeness and accuracy. Complaints concerning safety will be given priority.

**Initial Warning Letter:** If the complaint is determined to be valid by the investigating Board member. Then an Initial Warning Letter will be sent to the Owner. The Owner will have 15 days from the date of the letter to come into compliance, for complaints which are an immediate nuisance or capable of

immediate cure a shorter compliance time maybe required also, if the complaint involves safety a shorter time to come into compliance maybe required.

**Continued Violation after the Initial Warning Letter:** If a violation is not cured by the Owner within the time period allowed in the Initial Warning Letter, then a second Letter will be sent and a fine imposed. The Owner will have 15 days, from the date of the second letter, to cure the violation or appeal the violation and fine to the Board. An appeal may be sent to the Association or verbally requested to a Board member.

If the violation is not cured after the second letter and the violation is not appealed, then a third, fourth and subsequent violation letters and fines will be issued. Fines will be added to the Owners account and are subject to Collection Policy and Procedures.

**Appeal Process:** An appeal maybe presented in person or by writing. The appeal shall provide specific documentation on why the violation has not been cured and a schedule for curing the violation. If the Owner is appealing the investigation of the violation or the type/nature of the violation then specific documentation must be presented in person or in writing to the Board.

At the sole discretion of the Board, the Owner maybe given additional time to cure the violation and the fine maybe waived.

An Owner will have 15 days from the date of the second violation letter to request an appeal. Once, the Board makes an appeal determination, no further appeals will be accepted by the Board and if an appeal is not received by the Board or a Board member within 15 days of the second warning letter then the Owner shall be deemed to have waved any and all rights to a Board appeal.

After the Owner requests an appeal, the Owner will have no more than 10 days to schedule a meeting with the Board or to submit supporting appeal documentation. An appeal maybe delayed at the sole discretion of the Board.

An appeal claiming that the violation was caused by tenants, guests, contractors, an animal or visitors is not acceptable to relieve Owner or the violation.

The appeal determination by the Board is final and further appeals will be denied.

**Schedule of Fines:**

First violation: Initial Warning Letter.

Second violation of the same Declaration rule: \$75.00

Third violation of the same Declaration rule: \$200.00

Fourth and subsequent violations or the same Declaration rule: \$500.00

**Time Limit:** An Owner must remain violation free, of the same violation rule, for a period of 1 year following the date of the first violation letter to avoid additional violation letters and fines regarding the same violation.

**Owner Responsibility:** The Owner is responsible for any and all violations of their tenants, guest, visitors, contractors, or their animals.

**Deviation:** The Board may deviate from this policy if in its sole discretion, based on specific, unique and documented circumstances.

**Certification:** The undersigned being the President of the Association certifies that the foregoing Resolution was adopted by the Board on March 10, 2020.

Signed Edward Spivak

President, the Villages at Cotton Ranch Homeowner's Association, Inc., March 10, 2020.