



Keep important policies and resolutions here

From time to time we approve policies and pass resolutions that serve as tools to help us operate Redwood Acres. Unless copies are saved here, they may be easily lost and forgotten. Therefore, while serving on the Board, don't forget to place new policies and resolutions into this section as they are created or passed. That also will ensure that you and future directors who will be using this binder will be able to reference them easily. Some major policies, such as those relating to Rules Enforcement and the Architectural Review Committee, may be located in another part of this binder under their own headings due to their importance and because they involve the regulations themselves as well as forms and tools for implementation. (*Rules Creation and Enforcement* is in the Directors' Handbook under *Directors' Topics*. The *Architectural Review Process* is in the Residents' Handbook.)

Those policies or resolutions that include creation dates are those we have officially adopted. You may find others without dates that are simply examples that may help us when developing future policies.

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Fair Housing Compliance

Rationale

The following policy is established to help ensure conformance with Fair Housing laws.

Policy

As a matter of policy, Redwood Acres Homeowners Association fully subscribes to and affirms Fair Housing Compliance. Over and above legal requirements, we feel it is good business to protect the rights and opportunities of all persons to housing, access to common facilities and benefits of residency at Redwood Acres and in doing so we will not discriminate or make distinctions based upon age, sex, sexual preference, color, race, religion, ancestry, national origin or disability.

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Copies of rules to renters

Rationale

Countless problems have resulted for other homeowners associations simply because renters were never provided with the association's rules. The following policy is intended to ensure renters receive copies of our rules from homeowners renting out their condominiums.

Policy

Any owner of a Redwood Acres condominium who rents or leases a condominium to someone is obligated to deliver to the tenant a copy of the Redwood Acres Homeowners Association Rules ("the Rules) not later than the commencement of the tenant's occupancy. (This Residents' Handbook published by the Association will satisfy the requirement to provide the Rules.)

Any lease or rental agreement must include the following notice:

"The terms of this (lease or rental) agreement are subject to the provisions of the Redwood Acres Homeowners Association Rules ("the Rules"). Any failure by the (lessee or renter) to comply with the Rules shall be a default under this (lease or rental) agreement."

Optionally, to aid compliance, the owner may wish to include language in the lease or rental agreement similar to the following:

"Tenants shall be responsible for any fines assessed to the Owner by the Association for violation by Tenants of any provision of the Rules."

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Maintenance referrals by association

Rationale

From time to time, to help homeowners expedite fulfillment of property maintenance obligations, there is a temptation to provide a name and contact information for a services vendor who can handle required maintenance. But in doing so there is a vulnerability to unintentionally expose the association to a liability should there be any complications. We may be able to retain the benefit of helping the homeowner to expedite maintenance while limiting our own liability with the following policy.

Policy

Any vendor reference given a homeowner must include a disclaimer substantially as follows:

“You are free to choose whichever vendor you wish for your maintenance requirements. The name of this vendor is being provided as a courtesy and at your request. The association, board and committee members, manager, and the person providing you with this referral make no representations about the competence, licensing, insurance, quality of work by the vendor nor make any other claims or warranties with respect to this vendor, and you assume all risks for engaging this person or company.”

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Guidelines for rules creation/modification

Rationale

By adopting guidelines for rules creation, we can establish that our process is fair, public and promotes member participation. We stand to benefit by

- improvements to proposed rules by members' suggestions.
- publicity that precedes rules creation—most residents will know about a new rule and enforcement effort should be minimized.
- reinforcing our *openness* policy.
- providing the opportunity for our members to participate. This should promote greater support by the membership.

Guidelines

- A new rule (or rule change) may be proposed by any Association committee or member.
- The President or Board may appoint an ad-hoc Rules Committee to work with the proponent(s) of the rule to develop a working draft. (See *Rules Committee* in our *Committees' Handbook*.)
- The draft will be distributed by the Rules Committee to Board members and proponent(s) for comments. At least one week should be allowed for comments.
- The Rules Committee shall consider comments received and release another draft for review by Board members.
- Upon approval by a majority of Board members, the draft will be published in the Association newsletter and/or distributed by other means to membership for review and comment. Included with the draft will be notice for a hearing to be held no sooner than 30 days from the date of mailing.
- At the hearing, members may express their views on the proposed rule.
- The Rules Committee may revise the draft to incorporate suggestions by members.
- The Rules Committee may resubmit the draft to the Board with a recommendation for approval or disapproval.
- The Board may then act on the proposed rule(s) at a duly scheduled meeting to reject, amend, approve (possibly with minor amendments), or return it with substantial amendments for a new hearing process.

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Fine schedules

Rationale

The following policy is established to ensure uniformity in assessing enforcement penalties.

Policy

Instance or Frequency-type violations: (for example, a vehicle violation or a barking dog) \$40 for the first violation in a twelve month period, \$80 for the second, \$120 for the third, \$160 for the fourth and \$200 for each occurrence thereafter. A twelve month period is not necessarily a calendar year, but rather the twelve months preceding a particular violation.

Standing violations: (for example, an unkempt patio or deck or balcony or improvement not approved by the Architectural Review Committee) \$40 for the first month or portion thereof, \$80 for the second, \$120 for the third, \$160 for the fourth and \$200 for each month or portion thereof thereafter.

These schedules apply unless the Board determines that special circumstances exist to warrant a different amount or that other measures are appropriate consistent with the Bylaws and Declaration.

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Action without meeting by Architectural Review Committee

Rationale

In order to avoid unnecessary delays in approving ARC applications, the Architectural Review Committee is authorized by the Board to take action without a meeting on certain applications that are uncomplicated, for which approved standards already exist, for which decisions can easily be reached without convening a meeting and for which no member specifically requests a meeting. However, should the applicant or any member of the association or committee request a meeting of the ARC, a meeting must take place, in accordance with our governing documents.

Typically, a committee Action Without Meeting would be handled as follows: The ARC chairperson would send or route a memo or memos to all committee members along with the applicant's project plans, a summary evaluation and a recommendation. Included would be a form for each ARC member to sign. (See the example on the next page.)

Policy

Any action required or permitted to be taken by the Architectural Review Committee may be taken without a meeting if all members of the ARC shall individually or collectively consent in writing to such action. Such written consent or consents shall be filed in the permanent records of the ARC and shall have the same force and effect as a unanimous vote of its members.



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