

GRAND VIEW HOA, INC.

POLICY 4 - ALTERNATE DISPUTE RESOLUTION POLICY

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for resolving disputes between Owners and Grand View HOA, Inc.

1. An Owner may request a hearing with the Board of Directors if the Owner wishes to dispute a fine or decision the Board has made against the Owner. The request for a hearing must be in writing via email or US Postal Service. If the request is in response to a letter from the Board, the Owner must respond within ten days of the date of the letter from the Board.

a. A hearing date will be scheduled at the earliest convenience for the Board, but not later than thirty (30) days from the date of the request.

b. At the hearing, the Owner will be provided time to present evidence to dispute the violation. After the evidence has been presented, the Board will hold an executive session to make their decision. The Owner will be notified of the decision in writing within seven days of the hearing.

c. If the Owner is not satisfied with the finding of the Board, the Owner may elect mediation. The mediation process must be initiated within ten days of the Board's written decision.

2. Mediation is a process in which the parties meet with an impartial person who helps to resolve the dispute informally and confidentially. The parties to the dispute must agree to any decision made in mediation before any settlement is binding. The following process will be followed:

a. The parties shall use community mediation, if a mediator qualified in homeowners association practice and procedure is available.

b. If community mediation is unavailable, a qualified mediator acceptable to both parties shall be hired, with the costs of mediation split equally between the Association and the homeowners.

c. If the parties cannot agree upon a Mediator, each party will choose an independent Mediator to hear the dispute. In this case, the Owner and the Association will each pay for the Mediator they choose.

d. The mediation, unless otherwise agreed, shall terminate in the event the entire dispute is not resolved within sixty (60) days of the date written notice requesting mediation is sent by one party to the other party's last known address.

e. If the Owner fails to appear for Mediation, the Association shall prevail in the dispute. If the Association fails to appear for Mediation, the Owner shall prevail in the dispute.

3. In the event of any arbitration or litigation relating to the Owner's dispute, the arbitrator or court shall award to the prevailing party all reasonable costs and expenses, including attorney and legal fees.

4. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

5. The Board of Directors shall review this policy on an annual basis in order to ensure that it adequately protects Grand View HOA, Inc. and its Owners. The Board may amend this policy as deemed necessary.

President's Certification: The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed her name.

Grand View HOA, Inc.



Deb Cockroft, President

Effective Date: 9/29/2020